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A LETTER  
TO THE  
MAGISTRATES  
OF THE  
SOUTH OF ENGLAND,  
§c.



A LETTER  
TO THE  
MAGISTRATES  
OF THE  
SOUTH OF ENGLAND,  
ON THE  
URGENT NECESSITY OF PUTTING A STOP  
TO THE  
ILLEGAL PRACTICE  
OF  
MAKING UP WAGES OUT OF RATES,  
TO WHICH ALONE IS OWING THE MISERY AND REVOLT OF THE  
AGRICULTURAL PEASANTRY.

BY  
G. POULETT SCROPE, Esq. F.R.S. &c.  
ONE OF THE MAGISTRATES FOR THE COUNTY OF WILTS.

Serò sed seriò.  
Better late than never.

LONDON:  
JAMES RIDGWAY, 169, PICCADILLY.

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M.DCCC.XXXI.

AC 911.1831.539

## A LETTER,

&c.

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GENTLEMEN, & BROTHER MAGISTRATES,

IT is now nearly three years since I first took the liberty of calling your attention\* to that gross abuse which disfigures the administration of the Poor Law in the southern counties of England, and which is well known to all, and, I believe, regretted by most of you, —*the practice, namely, of making up wages out of Parish Rates.*

I proved to you, that, by permitting any payments to be made out of the Poor Rate to a farmer's labourer, under the pretence of maintaining his family, or any other, you had in-

\* In a Letter to the Magistrates of the South and West of England, from one of their number. *Ridgway, 1828.*

considerately overturned *a great natural law*,—one of the fundamental principles of all societies, namely, that a father shall maintain his own offspring, till they are of age to maintain themselves; that you had broken down *the natural limit to the fall of wages, the only limit, indeed, which wages admit of, where the population tends to redundancy, the necessary sum for the support of a large family*; and that you had put it in the power of employers to lower the pay of their labourers to any extent they chose, to the mere subsistence of a single man, or even less, and thus to reduce the aggregate receipts of the whole labouring population of any agricultural parish, *in the shape of wages and relief together*, to the bare sufficiency on which man, woman, and child, they can be kept alive, according to a rigidly calculated scale of the cost of necessaries.

I showed you that the farmers, naturally anxious, in these times of severe distress, to diminish their out-going expenses in every practicable way, had not failed to make use of the power you thus put into their hands of preserving themselves from immediate ruin at the expense of their labourers. If your own experience did not furnish you with the proofs of this, I would refer you to the Reports of the several Committees of the House of Commons,



on the Poor Laws, in 1817, 1822, and 1828, from which it appears, that, in some parts of your counties, the wages of *farm-labour* are, by this system, reduced to three shillings per week for able-bodied single men, and four shillings for married men ! But whether wages are nominally so low as this, or not,—even supposing them as high as eight or nine shillings, yet, if the farmers employ at these nominal wages only *those men* whose families are of such size as to entitle them to that sum, *at least*, as parish relief, and by throwing the men with small families, and the unmarried, on the parish, get their labour likewise, whether in farm-work or on the roads, at the allowance rate,—it is clear that every man, woman, and child, of the labouring population, is, *though fully employed*, receiving just the parish pittance, and no more, in spite of the deceptive appearance of comparatively high wages ; and that the real wages of the body of labourers employed, or the gross sum paid to the working class of the parish, is ground down to the *minimum* at which the lives of the several individuals that compose it, can be preserved.

I told you that the practice under which this grievous hardship is inflicted on our peasantry, was *illegal* ; that the Poor Law of Elizabeth gave no countenance whatever to the payment

of any sum from the Poor Rate to a farmer's labourer,—authorises no parish relief to able-bodied men, except in the shape of *work*, to be found for “those who have no means to maintain them, and use *no* ordinary and daily trade.”\* I urged, that exercising, as by law you do, the office of Auditors of the Parish Accounts, you were bound to refuse your sanction to fraudulent and illegal payments of this nature; and I called upon you, in the execution of the solemn functions entrusted to you as Magistrates, no longer to connive at a practice avowedly illegal, which in its effects on the labouring class tends to multiply crime, by destroying every distinction between the prudent and the profligate, the industrious and the idle, the honest man and the rogue, reducing all to one level of hopeless abject pauperism. I called on you, as Landowners, to extirpate an abuse which, by offering a direct bounty on the multiplication of paupers, must augment the burthens on land for their support in an accelerated ratio, and bring on the moment when the Poor Rate shall absorb the whole rental of your estates.—I called on you as Men, having human feelings in your bosoms, in mercy

\* The Court of Quarter Session of both the Counties, Hants and Dorset, have declared the illegality of such payments, on appeals against them.

and in justice to thousands, nay millions, of your fellow-creatures, no longer to permit Extortion to assume the mask of Charity, and allow the poor to be ground down to the earth, under the specious pretence of relieving and employing them.

Finally, I proved that *one word* from you was enough to stay the plague even in the most tainted districts, and to restore the Poor Law to its legitimate operation; that you had only to declare your determination of adhering to the letter and spirit of the Law you have sworn to administer, and *refuse to sanction any payments from parish rates to able-bodied men, while working for a farmer, or any other party than the parish, and on the parish account.* I shewed you that the evil would then at once be remedied; the system that had grown out of this practice would reform itself; wages, where they had been unjustly depressed, would rise again to their fair level; justice be done to the labouring class; and your own interests be relieved from imminent, and daily increasing peril.

I need not say that my remonstrances were unsuccessful. I was told that the practice (which no one denied to be as baneful as I had described it), was yet so deeply ingrained into the system of the Poor Law Administration,

and so generally acted upon, that it was too arduous an undertaking for a Bench of Magistrates to attempt its reform.

Yielding to this decision, I approached the Legislature—I repeated the arguments I had before urged to the Magistracy of the South of England, and called upon the Government and Parliament to pass an act explanatory of the Poor Law, and prohibiting the making up wages in any shape out of rates.\*

Again my expectations were disappointed; I heard, on all sides, an assurance of the vast difficulties standing in the way of the simple measure I suggested; though, on examining the objections, I will not say arguments, that were opposed to it, they appeared to me all reducible to one, namely, that the consequence of restoring the just and legal operation of the Poor Law, would be a rise of wages and rates; of one at least, if not both, in those parishes where the abuse prevails, which would necessarily occasion a proportionate *fall of Rents*; in other and clearer words, that the pillage of the poor must be refunded!

The difficulties, however, such as they were, were sufficient to stifle the Bill which Mr. Slaney had introduced in 1828, embodying my

\* Plea for the Abolition of Slavery in England, &c. *Ridgway*, 1829.

proposal; and the Session of 1829—30 passed away without leaving a hope of any such measure being ever adopted. That hope has, however, now revived.

The evils which I had attempted to exhibit in argument as the necessary results of this abuse of the Poor Law, namely, the multiplication of the agricultural Labourers, their demoralization and increasing misery, have at length brought on the crisis I anticipated, and something very like a civil, or rather servile War, is the result. That the riots and destruction of property which are now deplorably agitating the South of England, have their root in the influence which this abuse of the Poor Law necessarily exercises on the character and condition of the Peasant, is proved by their having begun and been hitherto confined to those counties in which the practice in question alone prevails, and their having been most frequent and violent exactly in those particular districts where the abuse had been carried to the greatest extent, namely, in the counties of Kent, Sussex, Hants, Berks, Bucks, and Wilts.

The approaching trials will shew the intimate connection that exists between the excesses committed in these counties, and the degraded and depressed condition to which their pea-



santry have been reduced by the iniquitous system I combat. It will be found, if I am not mistaken, that the mass of the criminals arrested in the commission of the late outrages, belong to those particular parishes where the labourers have been ground down to one common level of pauperism,—an allowance doled out to every family, in exact proportion to their number of mouths, by a grumbling Overseer, who looked upon them all as a nuisance—beings that had no right to encumber the earth,—while the single men were turned adrift to support themselves as they might, by plunder and poaching, or, as an alternative, set to work on wages, if so they may be called, of from three pence to five pence per day! Add to this the monthly *sales* of the parish labourers by *auction*,—the yoking them, like cattle, to carts on the highways,—the locking them up in pounds when no work could be found for them, in order to prevent their defrauding the parish by working on their own account while receiving parish pay,—the sending them eight or ten miles out for a couple of brickbats, a contrivance I have known adopted with the same view,—and last not least, the shutting them away from their wives in the parish workhouse,—and we need look no farther for an explanation of the general risings of the peasantry in dis-

tricts where this degrading state of things has long existed.

The connection of the cause and its effect must by this time, in fact, be so palpable, as to defy misapprehension; and as the effect is one of *which the repetition must at all hazards be prevented*, it is become at length a matter of the most urgent necessity in the opinion of every one interested in the safety of property, and the preservation of the peace of the country, *to remove the cause*.

Once more, therefore, I come forward, to repeat my simple prescription for the disorder which afflicts the peasantry of the South of England, and which has at length reached so frightful a crisis.

Some searching remedies must be adopted, every one exclaims. The danger lies in the possible adoption of wrong ones. There are not a few already promulgated. *Labour-rates*, and *laws to regulate wages*, involve consequences of the most fatal kind. They are inconsistent with the principles that ought to regulate the conditions of labour.

If the evil to be remedied has sprung, as is generally acknowledged, out of the practice of making up wages from the Poor Rate, you must cut off the source of mischief by stopping that practice, or you do nothing.

If you do that, you have done every thing. Henceforward the evil will cure itself. The natural conditions of the supply of labour will be restored; the poison will be taken out of the system, and its own internal operation will work out its return to health.

I propose, therefore, that the Magistrates of the several counties to which the abuse has extended, should without delay pass a Resolution at a Special or Quarterly Meeting, to the following effect:—

“ That great injustice is done to the labouring class, as well as to the respectable rate-payers who give good wages to their labourers, and to those who employ none, by the practice of supporting out of the Poor Rate the families of those labourers whose employers refuse to pay them adequate wages. That the Magistrates are determined to do all in their power to put a stop to a practice at once unjust and illegal; the law of Elizabeth authorising no parish relief to able-bodied men, except in the shape of *work to be found* for ‘ those who have no means to maintain them, and use no ordinary and daily trade.’ The Magistrates of this county intend, therefore, henceforward, to refuse to pass the accounts of any parish, unless the Overseer certify on oath that no such illegal payments have been made to farmer’s labourers;



and they recommend any rate-payers in any parish in the county, aggrieved by such illegal payment, to bring an Appeal against its entry in the parish books before the General Quarter Sessions."

It is not difficult to trace the immediate consequences of such a determination.

Where the practice has not been introduced at all, or very slightly, and this is the case with perhaps a majority of parishes even in the tainted counties, the effect will be wholly insensible. In those where it has more deeply rooted itself, it will be proportionately felt, and in this manner. The farmers, being prevented from employing any labourers except at a rate of wages sufficient to maintain their families as well as themselves, will choose by preference the single, and those who have the smallest families, leaving the men who have a large number of infant children to fall back upon the parish for labour and relief. *This* will at once do away with the direct bounty now held out to marriages, and to the increase of an already redundant population, in the circumstance that *even work* is at present refused to the unmarried man, or offered to him at a rate of pay which his sense of justice revolts at.

But the necessary demand for labour, in any parish or county, must always absorb a large

proportion of the number of able-bodied labourers. By the returns made from fourteen parishes, composing the hundred of Redbournestoke, in Bedfordshire, (one of the most over-peopled districts of the kingdom,) as published by Mr. Wilmot Horton,\* it appears that out of 2,177 labourers, 681, or considerably more than one-fourth, could be spared in winter; but, taking the whole year round, it will be probably correct to reckon the number of able-bodied labourers required for the ordinary farm work, at three-fourths of the existing number, in that and similarly situated districts.

Under the change of system proposed, the fourth part, which thus comes permanently upon the parish for work and relief, in the most over-peopled places, will consist, not as now, of the single men, but of those labourers who have the largest families. The wages of the remaining three-fourths must be kept up, *at least*, to the parish allowance of that man amongst them, who has the greatest number of infant children, or they will not get *him*. All, therefore, who are *less burdened*, will be enjoying comparative comforts; the situation of the single men being best of all.

And this is as it should be, if we wish to check, not encourage, the multiplication of

\* Causes and Remedies of Pauperism. Fourth Series.

paupers. The labourer will then see it to be his immediate interest, not, as at present, to marry, but to remain single. He will have all his earnings to himself, and their amount will depend on his industry, skill, and good character, not on the number of mouths he has to feed. The spectacle will no longer be seen of two labourers working side by side, the one expecting to receive two shillings for his labour at the end of the week, the other *twelve*!

In this way, whatever redundancy of labourers there may be in any district,—whatever number of labourers have families so large that the farmers cannot afford wages sufficient to maintain them, will be *taken out of the market for farm labour*, by the parish, and employed on the roads or other *public* works; while the remaining body of labourers will compete fairly with one another for a rate of wages *determined by the demand for labour, not by the conscience or the fears of their employers*, and proportioned in individual cases to the *work done*, not to the size of the man's family, which surely ought in no way to influence *wages*.

This is the healthy state of things to which we may return to-morrow by the mere determination of the Magistrates of the South of England to execute virtually and strictly their office of Auditors of Parish Accounts.

Will it be said that the consequence of this step must be a rise both of wages and of poor-rate, in those parishes where the practice of making up wages out of rates has been long established? I answer, that this will indeed be its effect;—and this is exactly the reason *why* it is advisable to adopt it. The argument against the abuse is, that farmers have occasionally availed themselves of it, to lower their gross payments to the labouring class, in the shape of wages and relief together,—and the remedy would be no remedy at all which should not have the effect of raising them again. The poor have been plundered by this system of the fair value of their labour. It is useless to expect that any means can be contrived for giving them in future its fair value, without loss to those who have hitherto shared in the plunder.

I propose this, then, as the true and only way of restoring the just and proper rate of wages where it has been unfairly lowered. In no other more direct mode *can* wages be attacked. It is impossible for the Legislature to interfere between the employer and the employed. They must be left to make their own bargain on their own terms, according to the condition of the demand and supply of the article. All that the law can do, and that it does, if *properly administered*, already, is to say to the far-

mer, "You shall not take advantage of the just and charitable institution of the Poor Law, to get your farm cultivated at a rate of wages *far less than you would be obliged to give if there were no Poor Rate at all*. Take the men you require for your farm, whomsoever and what number soever you think proper, but their wages they shall receive exclusively from you. The parish pay is for parish labourers alone, or the infirm and crippled. Farmers' labourers must be supported, *with their families*, by the farmers who employ them."

But, in fact, all motive for the general continuance of this practice may be said to have now disappeared. Were you, Gentlemen, as Magistrates, to refuse your interference, the iniquitous profit which has been derived from it is yet at once and for ever at an end. *The Labourer himself has spoken*, and audibly pronounced that he will no longer be defrauded of his just hire. The sense of justice which resides in every bosom, has vibrated in sympathy with his claims, and the right of industry to remuneration has been almost every where acknowledged and conceded, even before it was demanded. A great increase of wages has been already promised by employers throughout nearly all the Southern counties; and those



promises *must in spirit*, if not to the letter, be performed.

Still, if you refuse to take the step I propose, you put it in the power of any refractory or miserly individual in a parish to refuse any increase of wages to *his* labourers, who, if the present system is unchanged, will have their families maintained at the common cost. Say, for instance, that the majority of land occupiers agree, in justice to their labourers, to pay them ten shillings a week. Farmer Hobbs alone, with the sturdy obstinacy of the breed of Bull, persists in a determination to give no more than he has been accustomed to, namely, seven shillings. How is such a person to be dealt with? You cannot turn loose the mob upon his rick-yard or his cellars. You are bound to protect his person and property as inviolate as those of the most liberal employer. The dilemma is complete. You must be content to see him quietly and safely filling his pockets at his neighbour's cost,—cultivating his fields at an expense in labour one-third less than that of the other farmers, upon whom he shifts, in addition, the burthen of supporting his labourers' families;—or, *as the only alternative*, execute the Poor Law in its true sense, and stop at once and for ever all making up of wages out of rates.

The mischief that one farmer may do in a parish, the farmers of one parish may do in a district or county. Suppose them all to be, like farmer Hobbs, determined, in defiance of danger and odium, to cultivate their farms at the lowest practicable cost. They agree among themselves to give but six or seven shillings a week wages, and to make up the deficiency to each family out of the poor-rate. What is to prevent their thus beating down the price of labour, and, in addition to the injustice thus inflicted on the labouring class through the *screw* of the Poor Law, risking the peace of the country, and the property of their landlords? Will it be said the labourers may leave them and take work at higher wages in the next parish; but if they do so, they inevitably lower wages in the neighbouring parishes, the farmers of which finding men to be got for less than they had been previously giving, will reduce their wages, and the end cannot but be the same state of things from which we are at this moment escaping *at imminent hazard*.

I trust I am understood. I do not know how the matter can be put in a clearer light, and it seems to me that a child must perceive the necessity I am contending for. And yet there must have existed hitherto some gross delusion or misapprehension on the subject; or so cruel,

so impolitic, so ruinous a practice could not, in the very teeth of the law, have been so long permitted.

True it is, the fear of a fall of Rents, consequent on an immediate rise of Wages and Rates, may have aided in mystifying the subject, and blinding the acute perception of my antagonists. That fear can no longer operate. Nothing can now prevent the rise of wages and rates to the full extent of the degree in which this practice may have locally lowered them. Justice must be done to the peasantry. The question is now, whether it is to be done amongst Landowners? Whether one farmer is to be permitted to charge the support of his labourer's children upon the common purse, because he is unwilling to pay a rate of wages sufficient for their maintenance? Placed in this light, there can scarcely be two opinions on the matter.

And heartily shall I rejoice, with every true friend of humanity, in this issue of the late disturbances, should they terminate, as I anticipate, here. Great though the sacrifice may have been—grievous the destruction of property—the alarm—the loss of life, and the severe punishment which outraged law must necessarily exact of the leading offenders,—perilous the example of concessions, though just,



successfully extorted by intimidation or force—yet, who shall say they are not all a thousand times repaid, if the result be to restore to the peasantry of England their equitable share of the abundance that surrounds us on every side, and which their labour goes so far to produce?

Will it be said, that the suffering is but shifted from one class to another? That what the peasant gains, the farmer, or, rather the landlord, must lose? Away with the paltry suggestion, that the decent comforts of a hundred families are to be weighed against the superfluities of one; that want should be allowed to hover round a hundred tables, lest one should not be overloaded.

But in truth, the sacrifice will, I consider, fall but temporarily on any one. We have long wanted such a stimulus as this, to lead us to look closely and earnestly into the condition of the country, and to probe its maladies to their source. So long as the expenses of an extravagant Government could be transferred from the shoulders of landowners to those of their tenants, and by them saddled on their labourers, the manifold grievances which oppress and thwart the industry of this ingenious people were unenquired into, and unredressed. The Reform I conceive now to have begun

at the right end. The patience of the labourer is exhausted; and, as the worm will turn when trodden on, he has at length risen upon those who crushed him to the earth. The weight falls from his shoulders, and his employer receives it. He throws it back upon his landlord, and the latter must perforce at last rouse himself from his apathy, or give up his station in society, To what quarter then is HE to look for relief?

It would exceed the purpose of this letter to enter at length into this enquiry, and detail the arguments in support of the measures, which, though equally demanded for the general benefit, I consider amply sufficient to compensate the landed interest for the losses which must accompany the act of justice they are at length dealing out to their industrious and deserving peasantry. I will here merely name them in the briefest manner, and leave you, Gentlemen, to consider their various bearings in your own way.

1. Lower the Taxes by the strictest economy of the National Expenditure in every branch.

2. Commute the principal Taxes on consumption (the Assessed Taxes, and Excise) for a Tax on income, so as to make *the Absentee* and *the Miser* bear their fair portion of the cost of protecting their property.

3. Give Ireland a Poor Law, and relieve England from the intolerable burthen of maintaining exclusively the Irish poor, at the same time that Irish produce, *raised poor-rate-free*, drives our heavily-taxed-and-rated produce out of our own markets! This measure of imperative justice would, at the same time, lower our rates, and raise the prices of our farm-produce. Without it, the raising the wages of English labour will only have the effect of driving all the labourers of England *out of work, and upon the poor-rate*, by the competition of Irish labourers willing to work at a lower rate of pay than the English bread-scale of parish relief. Without it, we shall indubitably, and very shortly, have a civil war under our eyes, between English labourers and the Irish interlopers; and, our native population being considered already redundant, we shall have the satisfaction of maintaining from the land of this island, the whole surplus population of *both*!

4. Commute the Tithe. Let there no longer exist a Tax, *exclusively* levied on the produce of capital expended *in the production of food*! A thousand pounds, laid out in weaving cottons, pays no such Tax. If laid out in growing corn, ten per cent. of the gross produce goes to a stranger, to one who has not sown,—aye, even though the sower himself *lose* by his

praise-worthy attempt to increase the food of the community, he must still give up a tenth of whatever produce he does obtain to the tithe-owner. Why there is that in the nature of this tax alone, to cause the very clods of the field "to rise and mutiny." Remove so absurd, so suicidal a system of taxation, and *millions* of capital, now drugging the money-market, will be invested immediately in improving land, and profitable employment provided for thousands of now idle labourers.

5. Should you still have an able-bodied labourer too many in the kingdom, let Government ship him off, with a wife, to Van Dieman's Land, or New South Wales, where his labour is worth *seven shillings* a day, charging his employer there with a duty sufficient, in a year or two, to repay his freight. What can be simpler, what more effectual, as a means of removing any real surplus of population, entirely free of cost. Let us hear no more then of *redundancy* of able-bodied labourers. Till the world is fully peopled and cultivated there can be none, so long as a ship may be hired to carry the redundancy of one spot to supply the deficiency of another. Had Malthus been at Noah's elbow, he never would have stepped out of the ark, but contented himself with prohibiting his sons from marrying and increasing

their numbers, lest they should be starved within its limits.

6. Revise the currency of the country. Let a free and sound system of Banking be established on the Scotch plan, and prices will be permanently maintained at a remunerative level; the national burthens, now so overwhelming, will be borne with ease; the industrious classes will revive from the distress that now weighs them to the earth; this mighty and wonderful nation will rise from its present state of peril and exhaustion "like a giant refreshed;" and the murmurs of complaint and disaffection be exchanged for songs of gratitude and joy.

In conclusion, let me urge upon you the policy, I would say the necessity, of passing the resolution I have proposed, for the purpose of putting a stop to the payment of wages out of rates, and restoring the natural conditions of labour, *with as little delay as possible*. Every day shews more clearly the danger and the mischief of the awkward attempts now making throughout the South of England, to satisfy the just demands of the labouring class.

Should I be unable to persuade you, Gentlemen, to adopt a step so imperatively called for by every principle of justice, prudence, and interest, I trust that the firm and acute govern-

ment we have obtained in this crisis of our national fate, will step in to declare the law on this important subject, and call on you to execute it. They must be aware that a long continuance of *the present extraordinary attitude of employers and labourers, is pregnant with results which they must dread to contemplate.*

I am, Gentlemen,

Very truly your's,

G. POULETT SCROPE.

CASTLE COMBE,  
*December 6, 1830.*









427  
A P L E A

FOR THE

RIGHTS OF INDUSTRY  
IN IRELAND.

BEING THE

SUBSTANCE OF LETTERS WHICH RECENTLY APPEARED  
IN THE MORNING CHRONICLE,

WITH ADDITIONS.

BY

G. POULETT SCROPE, ESQ. M.P.

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LONDON:

JAMES RIDGWAY, PICCADILLY.

1848.

[Though retaining the form of Letters to a daily paper, the subsequent additions made to portions of the argument contained in these papers are inconsistent, of course, with their actual publication in that shape. But I was unwilling to omit adverting, in this reprint, to all the various points of the question.]

## C O N T E N T S.

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### LETTER I.

Colonization assumes that the land of a country cannot maintain its inhabitants.—This not the fact as respects the British Islands.

### LETTER II.

Colonization, therefore, premature at present ; being an abstraction of capital and labour which might be, more to the advantage of the nation, invested at home ; especially in Ireland, in drainage subsoiling, and waste land reclamation.—The latter might be at once employed by the Government, so as to give immediate relief to the over-burdened labour-market.

### LETTER III.

Proofs of the vast field for employment of the waste labour of Ireland on her waste lands, and the location of a large body of peasant-proprietors.—Refutation of the arguments commonly urged against the interference of Government for this purpose.—Bill to effect this now before Parliament.

### LETTER IV.

Profitable employment of Labour and Capital on land now but half cultivated in Ireland prevented by—1. Restraints on the owners ; 2. on the occupiers of the land.—Remedies suggested for the first class.

## LETTER V.

Remedies suggested to enable and encourage the Tenant to improve.—  
Relations of Landlord and Tenant.—Bill for improving, now  
before Parliament, insufficient.—Legislation required :—

1. Compensation for Tenants' Improvements.
2. Encouragement to long leases.
3. Legalization of customary Tenant-right.
4. Compensation for eviction from only livelihood.

## LETTER VI.

Summary of Argument.

THE  
RIGHTS OF INDUSTRY  
IN IRELAND, &c.

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LETTER I.

[TO THE EDITOR OF THE MORNING CHRONICLE.]

SIR,

I WAS gratified to find, in your article of Friday on the Rights of Industry, so near an accordance with the views to which I have endeavoured to direct attention in the essay under that title which you obligingly notice. The subject is so important at the present period, that perhaps you will allow me the space necessary for clearing up one or two points upon which, if any difference exists between us, it will be removed, I am confident, by a few words of explanation.

We agree in this, that the true key to the leading economical difficulty of the day is to be sought in the enlargement of the field of profitable employment for capital and labour, by means of the development of the natural and, looking to the world at large, inexhaustible resources of *land*. For a populous country of limited extent, whose soil is fully cultivated, Colonization is, (as you say), the natural, obvious, and amply-sufficient mode of effecting the desired object. That opinion I have not only always concurred in, but perseveringly urged as a reply in full to the arguments of the anti-populationists.

But while regarding and maintaining colonization to be a certain ultimate resource, always available even under the worst circumstances, and, if wisely and systematically carried out, sufficient to prevent any continuous suffering from the narrowness of the field of industry at home, I have thought it desirable to call attention to the fact that—as regards ourselves, at least—we have by no means exhausted the resources of our own territory, or even approached the limits of the profitable and productive application of capital and labour to the soil of our twin islands; that the overcrowding of labour and congestion of capital, so generally complained of, and which occasions the destitution and discontent of our industrial classes, are in a large degree owing to unwise artificial restrictions, imposed by ourselves, to the *free exchange*, or the *free use* of our native soil.

I quoted, as illustrations, the notorious paralysis of agricultural industry in Ireland, and the sinful neglect and waste of its natural fertility; in both islands, the mischievous results of entails, settlements, and incumbrances, and of tenancies at will, affording no security to improving tenants—influences less prohibitory here, no doubt, than in Ireland—but still opposing a powerful impediment to the progress of agriculture.

You say, “the real difficulty is *to get the land*, not to make bargains about it.” True! It is exactly what I urge against the present artificial law-trammelled system of land-ownership and land-tenure, that it prevents industry, *i.e.* our labourers and capitalists, who are ransacking the world for employment, from “getting at” the land which lies, some of it wholly waste, and most of it but half cultivated, under their feet. What prevents



the unemployed capital and labour of Ireland—for there is a great deal of concealed capital there, besides the millions that are annually invested in Savings' Banks and the British funds, and the perhaps larger amount that dribbles off yearly to America in the pockets of emigrants, who despair of being able to invest their savings profitably in their native land,—what, I ask, prevents these elements of production being invested in the improved culture of Ireland? Simply that the land can't be “got at,” owing to the *law* having locked it up in Chancery, or other entanglements, so inextricably, that neither its nominal owners nor its occupiers are able to make the most of it. The latter have no tenure sufficient to give them *heart* to improve. The former are incapacitated by entails or incumbrances from effecting improvements themselves, or conceding encouraging terms of holding to their tenants.

These are the “difficulties” which the law imposes, and which legislation might remove.

Until this be done, and the natural resources of the home soil developed somewhat more fully than they are at present, colonization is obviously premature. Colonization must abstract capital and labour for investment on a foreign shore which *might be* most profitably, and with far greater national benefit, invested within our own territory. *This* is the consideration which I am desirous of impressing on those whose minds are now occupied in the endeavour to solve “the social problem of the day.”

It is true, as you observe, that in some countries where land is more freely placed at the disposal of the industrious masses, destitution, nevertheless, is found. But its existence there may, I think, be sufficiently



accounted for by injurious restraints imposed on industry in other modes, such as protective duties and similar fiscal errors, inordinate taxation, military conscription, excessive centralization, &c. In spite, however, of these and other disadvantages under which industry labours, and by which production is checked in such countries—yet, wherever the soil is freely and fully placed at the disposal of the people, it will be found that comfort and plenty abound, and poverty is comparatively rare. I would instance the entire north of Italy, Tuscany inclusive; Switzerland, Wurtemberg, Bavaria, the Prussian-Rhine provinces, and Prussia Proper, great part of the Austrian dominions, Belgium, Denmark, and Norway; and, in spite of the fallacies that have been recently ventilated on the subject, even the agricultural districts of France\*—though in this last country the law interferes injuriously with the free disposal of land in exactly the opposite manner to the restrictions of our land-law, namely, by *compelling* division—an equal error, though the very reverse of our own, by which it is prohibited.

You will say, perhaps, granting all this, the Legislature of the British islands, composed for the most part of landlords and lawyers, is not likely to consent to relax the shackles which fetter the free disposal and use

\* See M. Passy on Large and Small Farms; and Thornton's Plea for Peasant-proprietorship; as well as an article in the Westminster Review for this month. Above all, consult the masterly work of Mr. J. S. Mill on Political Economy, published since these letters were written, and whose treatment of this great question in his 6th, 7th, 8th, 9th, and 10th chapters, deserves the attention of every one interested in the welfare of society.

of land. Perhaps not, just at this moment. But neither were they inclined to relax the Corn-Law two or three years back ; and, looking to the victory so lately obtained in that instance by truth and reason, through the means of public discussion, I do not despair of our bringing to an early and successful issue this other and equally important land question likewise, more especially since matters, in Ireland at least, are coming to a crisis of danger imminent and most formidable, from which I see no other possible chance of escape, but the speedy settlement of this question on such terms as shall secure to her people their just rights to a freer use of the soil of their country, and a more equitable distribution of the produce their industry may raise from it.

The denial of these vital rights, and the consequent waste of their abundant natural resources, lies at the bottom of all the misery, discontent, and threatened rebellion of that much calumniated and maltreated, but industriously disposed, and, by justice and kindness, easily conciliated population.

I remain, Sir,  
Your obedient servant,

G P. S.

*April 20, 1848.*

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## LETTER II.

SIR,

You justly describe the question at issue between us as one which should be "thoroughly thought out and argued out, with a care and attention proportioned to the vast importance of the subject to which it refers." I, therefore, hope that you will allow me the space necessary for explaining my proposition (which I observe you still somewhat misapprehend), and supporting it by reference to facts, in which I promise you to be as concise as possible.

Let me begin by claiming an admission from you which can hardly be refused. It is not necessary for me to prove that capital and labour might create as large an increased produce from our home soils, if judiciously applied to their improved cultivation, as by investment in colonization; because we are looking at the question not as citizens of the world, but of Britain. No doubt Canada and Australia are at present appendages to the British empire. But how long they may remain so none can foretell; and even while they do remain so appended, any increase in their productiveness can by no means be considered the equivalent of an equal increase in the wealth of Britain herself. If our home soils could be made to produce half as much again as they do now, this would be tantamount to an addition to the area of the two islands equal to one half in extent, and of average productiveness; which would surely be a far more desirable object than the creation of an equal

amount of wealth at any spot on the other side of the globe, though calling itself for the time a British colony. In one word, colonization is an *abstraction* of capital and labour (that is, of the elements of wealth and strength) from the mother country, positively injurious to *her*, except upon the assumption that they cannot be profitably invested at *home*. If, therefore, I can succeed in shewing that there is an ample field for the highly profitable investment of our redundant capital and labour to an enormous extent, in the improved cultivation of our home soil, and that they are only impeded from taking this most beneficial direction by the faulty system of law which regulates the transfer or tenure—and consequently the utilization—of land, I shall have done enough. Colonization must then fall into its proper place, as a secondary and prospective resource, ample for its purpose, when the time may have arrived which will render it necessary, but a wasteful diversion of the national means, so long as they can be profitably expended at home.

In proceeding to notice your argument, as to the supposed slowness and difficulty with which any large accession could be made to the agricultural productiveness of these islands, and to the home demand for labour, by any changes in their land-laws, I shall take leave to confine my remarks, for the present, at least, to the Irish side of the Channel. And this not only because the agriculture of Ireland is far more backward than that of England and Scotland; but still more because the development of Irish agriculture, and the absorption in productive channels of the vast surplus labour of that country, would, by stopping its continual

efflux into this island, alone do much towards raising the condition of the labouring class in England; would at once lessen the supply of labour, and, therefore, increase the demand for it *here*; would augment the supplies of food transmitted to us from Ireland, and likewise her demand upon our manufacturing and trading industry for clothing and luxuries.

Whoever recommends colonization as a primary remedy, capable of immediate application, for the congestion of our labour market, must intend, of course, to apply it first and foremost to Ireland. Emigration from England could only produce a void which would be instantly filled by a fresh supply from that "*officina pauperum*." Her overflow must be stopped before the slightest beneficial effect can be perceived in England from any amount of depletion.

The question then assumes this shape, whether any other measure could operate as immediately and effectually in relieving the redundant labour-market of Ireland—by opening up the resources of her soil for the productive employment of her people—as a scheme of colonization?

Now, upon this question, I am glad to be able at the outset to refer to far better authority than any arguments or collection of facts which I could myself supply from however long and deep a study of the subject; I mean the valuable Digest of Evidence taken by the Commission on the occupation of land in Ireland. There you have the concentrated result of an immense mass of evidence, collected by a diligent and dispassionate inquiry, carried on through three years in every corner of Ireland, by examination of many hundred witnesses, the most



intelligent that could be selected, of every class, from the landlord and land-agent, to the peasant-occupier — in the conclusions arrived at by the acute and able men who conducted the inquiry throughout — men too who, before undertaking this task, had enjoyed the widest practical experience in the management and agricultural improvement of extensive Irish estates. It is impossible to conceive a combination of higher claims to authority on such a subject.

In pp. 565-9 of this volume will be found a comparative estimate in detail of the cost of three several distinct modes, suggested by different parties, for the relief of the labour-market of Ireland, to the extent of 500,000 labourers, representing a population of more than two millions, viz. :

1. By emigration. .
2. By employment in draining and subsoiling the lands at present productive, but highly improvable by such operations.
3. By locating about 200,000 families on the waste lands, upon farms of about twenty acres ; and providing for above 130,000 more by consolidating into farms, of at least eight acres each, those minute fragments of productive land which the former now occupy without being able to make a living off them, or cultivate them efficiently, “ whereby a total of about 500,000 labourers would be abstracted from the existing competition of the over-stocked labour-market.”

The net result of the calculation is that the *first* mode would cost twenty millions, and repay in the improved value of land in Ireland but three per cent. The *second*

would occupy the whole labouring population, during the winter half-year, for eight or ten years to come, but would add little to the *permanent* demand for labour. It would afford, however, a productive investment for a capital of £84,000,000, and return a profit upon that outlay of at least 15 per cent. in the increased value of the land.

The *third* mode would employ a capital of ten millions, which might be safely calculated to return at least ten per cent. in increased rental, and yet leave an aggregate increase of *produce* at the disposal of the occupier, to the amount of above twenty millions sterling per annum; the waste lands being supposed to produce at present, on the average, only four shillings a-year, though capable of being made to yield an average produce of six pounds per acre.

Here, then, is a statement made on the highest authority, that there exists within Ireland herself an immense field for the productive and profitable employment of millions of her apparently redundant population, in both the draining and trenching of her cultivated lands, and the reclamation of her wastes.

To these modes of relief, however, it is objected that the land is in the legal ownership and occupation of persons who are not likely to set to work on its improvement with any vigour or promptitude, and that, whatever legislative changes might be made to free them from the embarrassments and legal shackles, which hinder their making the most of their land, or to enable it to be transferred by sale on easy terms to other parties more willing and capable of improving it, will be too slow in their operation to meet the urgency of the case. But



supposing this to be true (though I am prepared to show, that it is so only to a limited extent), so far as regards the thirteen millions of acres of land now productive, but capable of improvement by drainage, &c., it is by no means an argument of equal weight in respect to the three or four millions of acres of *waste* land ; that is, of land which has never been cultivated, upon which no capital or labour has been expended by its owners or occupiers—land still in a state of nature, and though appropriated, and occupied more or less as rough cattle-runs, yet producing on the average but to the value of three or four shillings a-year per acre, while it might be made to grow food for a starving population to the value of twice as many pounds.

Such a state of things would, I maintain, justify the immediate interference of the Legislature, for the appropriation to the great national object indicated above of this wasted and misapplied portion of the national soil—an appropriation, of course, by purchase, at its full present value, from its present owners and occupiers, upon the same equitable principles as are daily acted upon by the Legislature in the compulsory purchase of land of far greater value for railways, roads, and other purposes of certainly no greater general utility.

If this be granted, the process from which such vast advantages are derivable, according to the authority of the “ Digest,” might be carried without delay into operation. The Board of Works, or a Commission appointed for the purpose, might immediately set to work on the reclamation of the waste lands the surplus labourers, who are now wastefully fed in idleness on the resources of the country, either within or without the work-

houses, and gradually locate on the reclaimed lots many of the small farmers who are now contending, as a matter of life and death, for the occupation of fragments of arable land insufficient for their maintenance. The effect on the redundant labour-market would be as immediate, and the relief as sensible, as by the sudden enlargement of a confined area in which a crowd is closely penned up and struggling for breathing room. And the magnitude of the resulting benefit to the nation at large, as well as to every class composing it, should amply justify whatever of novelty or departure from general practice the measure may present. Even were the "interference with private property" ten times as extensive or unusual, the critical, or rather the desperate, state of Ireland would vindicate the employment of any resource promising such immediate and effectual relief. Indeed, the interference with private property is far more contrary to all sound principle by which hundreds of thousands of labourers were last year employed in spoiling the thoroughfares, at the expense of the British tax payer, or are fed this year in idleness, upon forced levies from Irish property.

"The object of every Government," says Mr. Campbell Forster, in his letters from Ireland, writing from Tipperary, where, "in the midst of all the distress and misery, and murders for the possession of bits of land, *there are no less than 360,000 acres of reclaimable waste,*" "the object of every Government is the prosperity and safety of the people. Neither is accomplished *here*. It is then the *duty* of the Government to see that *they shall be* accomplished. It is *the duty* of the Government to take measures to compel these waste lands to be brought

into cultivation as *an immediate means of affording* employment to the people, to save them from starvation and the commission of outrage; *at the same time* that they put down with a strong and determined hand the system of terror and assassination which disgraces this county." Coercive measures have been passed for the *last* of these purposes. The proposed measures for effecting the *first*—the beneficial and remedial measure—has, alas! been adjourned *sine die*.

But I have been led to consume too much space on this branch of the argument. I must trust to your indulgence for being permitted, on a future occasion, to meet the objection, that the waste lands of Ireland will not really *pay* the cost of reclamation. I readily accept your challenge on this point; and am prepared with abundant practical evidence confirmatory of the statements of Mr. Griffith, as to the ample returns to be obtained from such operations.

Meantime, I remain, Sir,

Your very obedient servant,

G. P. S.

April 21, 1848.

## LETTER III.

SIR,

CONFINING my present argument to the vast field for the profitable employment of labour and capital which might be opened in the waste lands of Ireland, if placed at the disposal of industry by legislative action, I will begin by noticing the cursory objection with which the proposal is in the first instance usually met, and which you have reproduced in its most simple and general form; viz., that if these wastes could be profitably reclaimed, they would have been reclaimed already.

Now, in the first place, this argument proves too much. It might be just as reasonably said, that the lands at present in tillage or pasture, whether of Ireland or of England itself, cannot be profitably drained or subsoiled, or better cultivated than at present, *because it has not been done already*. Whereas every one knows the fact to be the reverse. This is, indeed, one of those slashing arguments, by the use of which political economists have so often brought their science into undeserved discredit. A proposition, true only in the abstract, is assumed to hold good under all possible circumstances. Capital, it is said, like water, will always flow in any direction in which a profit is to be made. True enough, if there are no obstructions blocking up the channels through which alone it could reach the locality where the profit awaits it. Not otherwise. And it is because closet economists choose to ignore the obstacles that have hitherto forbidden the investment of capital, to any



large extent, in such agricultural improvements as are, notwithstanding, capable of affording very large returns, and are proved to be so by the direct evidence of facts and practical authorities, that they are driven to their wits' end by the present uneasy state of society, and throw the blame on nature, and the growth of population, of those evils which faulty institutions and legislative mismanagement have alone occasioned.

In fact, the very point and purpose of the essay on the "Rights of Industry" was to call attention to the degree in which obstructions, chiefly of a legal character, and therefore removable by legislation, actually lock up from use at present the natural capabilities of our home soils, and prevent that flow of capital towards their improved cultivation which would assuredly take place under a better arrangement of our land-laws. And yet I find you forgetful of this entire argument, continuing to urge the old story, that capital not having spontaneously taken that direction there can be no profit to be made in it.

Of the impediments which have hitherto prevented the cultivation of the Irish wastes, there are many common likewise to the land at present in tillage or pasture, and the cause of its backward state of cultivation, and deficient productiveness, in spite of great natural fertility. Others are peculiar to the waste lands themselves.

In the first class must be mentioned the indolent, reckless, spendthrift, unbusiness-like habits of the landed proprietors of Ireland, as a class, owing to the long course of partial government and legislation by which they were encouraged to believe that their territorial

rights were independent of all performance of duties towards the people inhabiting their estates, and would be enforced at all hazards, and to the utmost extent, by the overwhelming power of Britain. They have been thus led to rely, both for their rentals and political power, on the multiplication and terrific competition for land of a miserable rack-rented peasantry, to whom no other employment or means of existence was opened, who were set down on the bare sod without a building, or a fence, or a drain executed by the landlord; and yet with no better security, in most cases, for any permanent improvement they might themselves make, than a tenancy at will, determinable at six months' notice! Under such a system, the tenants could scarcely be expected to accumulate or to expend capital. The landlord never for a moment thought of such a thing! Far from it. His habit was to expend more than his income, and hence his estate became encumbered with entails, settlements, mortgages, judgment-bonds, and, perhaps, ultimately, a Chancery receiver, thus depriving him of the power to improve, or to relax his paralyzing gripe upon his tenantry, even if he desired to do so. All these accumulated involvements still further lessened the security of the tenant, and may be said to have prohibited him from investing capital, or even his own labour, in improvements, of the fruits of which a foreclosure, or sale under a decree of Chancery, or the devolution of the estate on a new heir, or a change of agent, or even a caprice of the existing owner, might deprive him at any moment. Then, too, the peasant himself, as a protection against the frightful insecurity of his position, was driven to join in maintaining that agrarian system of intimidation

which, in turn, by rendering life itself insecure, added a further impediment to the investment of capital in the Irish soil. How could agriculture flourish under such a system? And is it possible to argue that because wastes have not been reclaimed, or marshes drained, during its continuance, this affords any proof that such operations would not, under different circumstances, pay a profit on the outlay?

But, moreover, there are some obstructions peculiar to the waste lands themselves. Many, for example, are held in joint ownership. In other cases the boundaries of contiguous estates are undetermined. The cattle of several adjoining properties have a run over the bog or mountain, and no one can make his title good to any particular portion. For half a century past a compulsory partition of these joint properties has been, over and over again, urged upon the Legislature; but nothing has been done. In 1836, the Poor Inquiry Commissioners put this recommendation prominently forward, as one of first necessity for the employment of the poor and the growth of food. The Committee of 1835 had done the same, but with no better results. A few days since I was informed by a considerable landed proprietor, that if he could only obtain an apportionment of his share of a large tract of mountain land, in which he holds a joint interest with several other parties—some absentees, some minors, and therefore incapable of joining him voluntarily—he should instantly set to work some hundreds of labourers who are now fed in idleness at the expense of himself and his neighbours. But legislation is necessary for this, and nothing is done to relieve the land from the legal shackles which prohibit its effective use.



Again, with respect to the bog land, of which nearly three millions of acres are considered reclaimable, it is generally impossible for individual proprietors, still less for their tenants, to reclaim effectually. Arterial drainage on a large scale is indispensable as a commencement, cutting through many properties, deepening river beds, perhaps to considerable distances. Hence, as Lord Cloncurry justly observed, in a recently-published letter, Government alone can set on foot such undertakings, on that comprehensive scale, and with that engineering skill, which is necessary for the purpose of rendering these tracts reclaimable. But the Government is doing nothing, and has never done anything, towards this great national object, although *forty years since* some £40,000 were spent by a Government Bog Commission in making detailed surveys, plans, and estimates of the cost of the reclamation of all the bogs in Ireland. The Commission made the surveys, reported most strongly in favour of the undertaking, printed at the public expense maps and sections of more than half the bogs, with precise directions for setting about their drainage, a mass of matter of which the mere catalogue and index fills a very bulky folio volume; and from that day to this their report, surveys, and estimates have slumbered in the dust in the archives of Dublin Castle, and the bogs remain still tabooed against the industry of the Irish people, who are in consequence starving for want of food, and idle for want of work. A striking example of the results of the "let alone" principle, on which the objection I am now combating, rests.

But it may be said, the obstructions adverted to cannot extend to every estate. There ought to be instances

here and there to be found, in which a spirited or prudent proprietor or occupier has been in a position to avail himself of the capabilities of his waste land, if it really possess any.

No doubt. And I am now anxious to call your attention precisely to some such cases—for many such there are—in which, under those circumstances, waste land has been successfully and profitably reclaimed. This is, in fact, the test to which you have challenged me. And I am quite ready to abide the issue on this ground.

I have had much information communicated to me on the subject from private sources; but I prefer appealing to evidence already in the hands of the public, and taken in open court before many neighbouring parties, in whose presence no false or even exaggerated statement is likely to have been made. I mean that reported by the Commission over which Lord Devon presided. Of course I can only hope that you will afford room for a very few specimens of the sort. Here are some however—

On the Donegal estate of Sir Charles Style, Mr. Kennedy successfully put in practice the system recommended in the “Digest,” of locating upon the waste lands a population inconveniently crowded on the adjoining arable lots. By this he afforded permanent employment to six times as many persons as the same land could profitably support before, and multiplied its gross produce by TEN: while the sum expended repaid at least ten per cent. to the proprietor in augmented rent. The history of the improvements on this and the Cloghan and Lough Ash

estates, under the same management, is full of instruction, but can only be referred to here (278).

Mr. James McNab, of Castle Connell, County Limerick, states that he reclaimed eighty acres of bog, ten of which are planted—seventy under tillage—at a cost of £20 per acre. It was nothing but the worst red bog, with no vegetation save the bog plant on it, and TWENTY FEET DEEP. He drained and coated it with the subsoil, and what was previously not worth 2s. 6d. per acre is now worth from 30s. to 55s (621).

Mr. Steuart Trench, a magistrate of the County Monaghan, reclaimed 300 acres of mountain land within a period of four years. It was previously worth from 2s. to 4s. per acre—is now worth 30s. to 35s. The entire cost, which Mr. Trench gives in detail, was repaid by the crops of three years, although he had to bring lime a distance of four miles over a hilly road, and that his land is from 700 to 1,000 feet above the sea. He gives his opinion that there are millions of acres equally available for improvement now lying unproductive, on which the redundant population of Ireland might be located, to the great advantage of the proprietors as well as themselves, and affording security to the country from imminent convulsion. He thinks this resource would, “for a vast period of years to come,” be fully as beneficial as any scheme of emigration (283).

Mr. Reade, of Woodpark, County Galway, J.P., reclaimed five hundred acres of moor-land and mountain, worth about 2s. 6d. per acre. He spent from £10. to £17. per acre upon it, but was repaid the whole by the second year's crop; and the land is now worth 20s. per

acre rent. He says there are in Galway County 200 square miles of similar land equally capable of improvement. On being asked what prevents the reclamation of such lands, he replied, "The want of spirit and means in the proprietors." Be it remembered that in Galway many thousands have died of hunger through want of employment in the course of the past year! (53).

Mr. Colthurst took, in 1829, a bog-farm of twenty acres in County Cork, valued under 4s. an acre—a rent which the previous tenants failed to pay. He gives the details of his expenditure in draining and reclaiming it, which amounted to about £16. per acre, the whole of which was returned with interest before the fifth year expired, leaving the land worth, at the Poor-rate valuation, £4. the English acre (761).

It is to Lancashire, however, that we must look for examples of the most spirited application of capital, on a large scale, to the reclamation of bog-land, in all respects similar to the generality of Irish bogs. There may be seen thousands of acres of moss, a few years back too wet and barren to be of any value, now covered with abundant harvests, equal to those produced on any upland farms. I have the details before me of the cost of reclaiming several such tracts, on Chatmoss, Rawcliffemoss, and others, which, though effected at the high wages of Lancashire, 14s. a week, amounted to less than £10. per acre, and now pay more than ten per cent. in rent.

If, in spite of the many examples in their own island of the profitable reclamation of bog-land, Irish landed proprietors still remain incredulous on the subject, let them meditate on the following extract from the pam-



phlet of Mr. Baines, written from his residence, Barton Grange, a farm reclaimed from one of the Lancashire bogs :

“ I have been practically engaged in the cultivation of bog or moss land for upwards of fifteen years. The land which surrounds the house in which I am now writing, *to the extent of several hundred acres*, has been changed from *one of the wettest and wildest mosses or bogs* in England, into a *well-cultivated farm*, yielding superior crops of roots of all kinds, of clover, oats, and barley, and fair crops of wheat.

“ The potato did not fail at all on the peat soils of Lancashire in 1845, except where they were ill-drained ; and last year, 1846, when the disease was so serious in all other kinds of soil, the failure was comparatively light on peat lands—generally not more than a third or a fourth of the crop. It is stated to have been much greater in Ireland on similar soils, but I cannot help suspecting that *bad drainage* was one principal cause of such failure. We found that peat soil was no protection *unless the land was perfectly dry*. A strong antiseptic power exists in all peat soils, and is the principal cause of their original barrenness. It may be overcome in two or three years, by the unassisted agencies of nature, if the land is laid perfectly dry ; and the operation may be greatly hastened by the application of lime in a hot state, a few months after the draining is completed. To apply lime, marl, or manure, to the reclaiming of peat bogs, until they are thoroughly drained, is a mischievous waste of money.

“ There are three great faults which are generally committed by persons who undertake the reclaiming of peat bogs, and which are the causes of the waste of money and disappointment of hopes which have so often attended the attempt to reclaim this kind of land, both in England and Ireland.

“ The first is, that the drainage is seldom effectually done, and still more rarely properly kept up. Without the strictest attention to this point, every thing else is pure loss, and what renders it more inexcusable is, that the cost of draining peat soils is not great, and the cost of keeping up the drains still smaller. An acre of deep peat land, by which I mean land in which the drains cannot be carried down to the

solid subsoil, without sinking them more than four feet, ought to be well drained for 40s., and ought to be kept perfectly dry for 2s. 6d. a year ever after.

“The second great error in reclaiming peat land is, that of putting immense quantities of marl or clayey gravel upon the surface, thus turning it into very bad clay land. A moderate dressing of marl, say 50 or 60 tons at the utmost, is all that is desirable to put at once, or for several years after the land has been reclaimed. Where lime is abundant and cheap, it is an excellent material for reclaiming (well-drained) peat lands; and as it is very cheap in most parts of Ireland, and can be applied with very little horse labour or cost of implements, it is the material to be used wherever it can be found. *Four tons to the statute acre is a sufficient quantity.*

“The third great error which is committed in reclaiming peat soils, is that of extracting crops of grain from them immediately after they are reclaimed. This follows, naturally, from the heavy marlings, usually given to this kind of land, which do it great injury as grass land. A much wiser course is to marl very lightly, or not at all, if lime can be got, and to be content to make good pasture land in the first instance. When the rains of spring, the frosts of winter, and the summer suns, have improved the quality of the soil, and when a regular discharge, through the drains, has carried off all the sour and astringent principles of the soil—that is, in three or four years—the land may be used to grow grain; but until that time, it is much the wisest course to use it as pasture land, to be grazed by sheep and young cattle. With a proper selection of grass seeds, it will form good grass land from the first year in which it is reclaimed.

“After this land has been reclaimed for three or four years, it may be cultivated with ease and profit on the alternate system of husbandry. It then produces every crop in abundance, except wheat; and that in moderate quantities. The crops of oats and barley are very good; those of turnips and potatoes equally so; and those of grass much better than are yielded by the generality of land.

*One circumstance which renders the reclaiming of waste lands valuable as a mode of employment is, that all the operations connected with it can be done by piece or task-work.* This is a matter of the utmost importance to the paymaster, whoever he may be, and doubly so when the paymaster is that great victim of imposition—the State.’

It will be observed that the first and indispensable step to the improvement of bog-land is to render it thoroughly dry. No doubt it is to *imperfect drainage* that the want of success was owing in some attempts in Ireland that have been urged against me by your correspondent, Anglo-Irishman, and others.

The practice in Lancashire is to divide the open moss into inclosures of three to ten acres each, by open ditches, not too deep at first, but deepened further as the moss settles. Covered turf-drains are then made into the open ditches. After this the whole surface is coated with clay, marl, or gravel, by help of moveable railways. Then the manure is laid on and ploughed in; the peaty matter being thoroughly broken and pulverized so as to destroy all trace of the original fibrous texture. "When this is done," says Colonel Rawsthorne, a Lancashire moss-improver, "there is scarcely saying what the value of moss land may be; it is so much more easily worked than the stronger lands; the expense attending it is so much more moderate. If *well-drained*, it can be approached at all seasons of the year, with so much more ease, *that it is perhaps the most valuable property that can be possessed*; and acre for acre may be put on a par in value with the sandy loams. A *moss farm*, or one with some moss land attached to it, therefore, *lets more easily, and at a higher value, than any other kind of farm, often at 50s. per acre.*"

Now why should not the process which is so successful and profitable in Lancashire, where wages are 14s a-week,

\* "The Cause of the Potato Disease, &c." by Law Rawsthorne, Esq. 1847.



be equally so in Ireland, where labour costs but half that sum ; supposing equal skill, science, and capital to be applied ? As to the materials, it is well-known that marl and clay, or limestone gravel, usually form the substratum of the Irish bogs, and that hills of the latter material very generally surround or penetrate some way into them. Many likewise are within reach of the sea sand and sea weed, the best of manures ; and the climate of Ireland is on the whole far milder than that of Lancashire.

But even were it possible that the reclamation of bog-land, which succeeds and pays so well in Lancashire, should from some unaccountable cause fail to pay in Ireland when undertaken on a large scale by capitalists, as a speculation for the sake of profits—it must be borne in mind that the proposal which I have, from the year 1835 to the present day urged upon Parliament,\* is one which enlists a far more potent stimulus to industrial exertion than the system of improvement by large speculating capitalists—viz. the intense and passionate energy of the small proprietor improving and cultivating his own land. There is a magic in the word “for ever,” by which the imagination (and of the Irish especially, the most imaginative of people) is peculiarly affected. “Give a man,” says Arthur Young, “a strip of rocky desert in fee, and he will convert it into a garden. Give him a short lease of a garden, and he will turn it into a desert.”

Mr. Jagoe, one of those who believe “from observa-

\* See a paper in Appendix to Report of the Committee of the House of Commons on Public Works and Waste Lands (Ireland), 1835.

tion, that any person purchasing a tract of waste land in Ireland to make a profit by reclaiming it to LET *at a rent*, can never derive much advantage," yet expresses a strong opinion, that "if the waste lands were sold in small lots, giving to the occupier THE FEE instead of a leasehold interest, the utmost benefit would be derived to the country, as well as to the individual cultivators, each of which would reclaim his lot by his own labour. To improve that which a man could not be dispossessed of would develope all the energies of the owner."\*

"The improvement of wastes,"† Mr. Thornton observes, "may perhaps be thought to require a good deal of capital, but capital is principally useful for its command of labour, and the Irish peasantry have quite enough labour at their own disposal. Their misfortune is that they have so much. Their labour would not be worse applied because they worked for themselves instead for a paymaster. So far is large capital from being indispensable for the cultivation of barren tracts, that schemes of this kind, which could only bring loss to a rich speculator, are successfully achieved by his penniless rival. No man in his senses would ever have thought of wasting his money on the original sand of the Pays de Waes; but the hardy boors who settled there two hundred years ago, without any other stock than their industry, contrived to enrich both themselves and the land, and, indeed, to make the latter the richest in Europe."

"The profit of reclaiming waste lands," says the Digest of Evidence to Lord Devon's Commission,‡ "will

\* Devon Commission Evidence. [27.]

† Thornton on Over-population.

‡ P. 570.

be best understood from a practice not uncommon in Ireland, to which farmers sometimes resort. This consists in giving the use of a small portion of it to a poor cottier or herdsman for the first three crops, after which this improved portion is given up to the farmer, and a fresh portion of the waste is taken on the same terms by the cottier. Here we have an example of the very poorest class in Ireland obtaining a livelihood by the cultivation of waste land, under the most discouraging and least remunerative circumstances that can well be imagined."

How certain, then, would be the result, if the cultivator had a permanent tenure of the soil, which would elicit what Mr. Mill justly calls "the marvellous industry of the peasant-proprietor—an ardour of improvement absolutely unexampled in any other condition of agriculture."

Such is the proposed scheme of reclamation embodied in the bill which was introduced in 1846, and in that which is now before Parliament. The Government Commission need proceed no farther than what is necessary for opening up the waste land tracts by roads, main drains, &c. and dividing them into farms. The thorough drainage and actual reclamation need only be executed by their agency so far as is desirable for the purpose of rendering these farms fit for occupation, or for that of employing productively the able-bodied paupers of the union. The occupiers themselves would, in the great majority of cases, be the real reclaimers, and would carry on the process with the energy and diligence of men who apply their labour to *their own* property.

That Irishmen should be wanting in that indefatigable

industry which characterises the Swiss, the Belgian, the Catalanian, the Norwegian, the Guernsey-man, nay even the Hindoo and China-man, when working upon land of his own, which he can be sure of transmitting with all the added value he can give to it to his children, is a base and unworthy supposition. Even the bare hope of a durable tenure is seen in numerous instances to excite the industry of the poor and much calumniated Celt—a hope too often most cruelly betrayed.

“In many instances it has occurred,” says an Irishman writing in 1825, “that a set of tenants have taken uncultivated poor ground at the foot of a mountain, at a few shillings an acre rent, but without leases: being either deceived by promises, or unable to pay for the leases when taking the land: after a few years, by almost incessant labour, the ground being rendered of some value, these poor people have been forced to leave their farms and remove higher up the mountain, to begin again on unimproved ground; and it is no fiction to state, that those who began to cultivate the soil at the foot of a mountain, have by progressive removes, been ultimately placed as near its top as subsistence could be raised; being thus defrauded of the fruits of their early hard labour, and obliged to end their days in want, after spending their lives in toil and pinching perury: having the additional mortification of daily seeing the ground they had in their youth brought first into cultivation, occupied by others.”

The same writer mentions that he has himself been told by a landlord, whose waste and mountain land was being thus painfully reclaimed on the *Sic vos non vobis* principle by his poor tenants, that he occasionally gave



them lime, and “that it was good policy to do so; because *when he got his land up from his tenants he had it in good heart, and had their labour for nothing.*”

And yet of men so treated *it is complained that they are not industrious; it is wondered that they are not contented and peaceable!*

It is doubtful whether the history of the world can produce another example of a system so directly discouraging to industry, so fitted to engender discontent and disturbance, so unjust and tyrannical in its essential character. The imprudence, the reckless regard for future consequences, the careless hand-to-mouth improvidence of the Irish cottier tenantry in their present uncertain position, is the consequence of that position.

And hence it is a mistake to suppose, as is done by many objectors to the location of small proprietors on the waste lands, that the result will be the subdivision of their estates, and the multiplication of paupers.

As a precaution, special covenants to prevent subdivision or sub-letting, may be inserted in the deeds of sale or perpetuity leases (entailing forfeiture if broken). But it is quite certain that the principles of prudential restraint, and a provident regard for the future, will spontaneously arise and influence the conduct of the landholders, when placed in a position in which their comfort and prosperity, and that of their children, will entirely depend upon their exercise of these social virtues. The experience of other countries where peasant-proprietorship prevails, Germany, Flanders, France, Norway, Switzerland, Tuscany, the Channel Islands, &c. is conclusive on this point. None marry so early or

multiply so rapidly as the cottier of Ireland, because no imprudence can make him worse off than he is—

“Non habet unde cadat.”

The dread of losing a position of comfort, and the certainty that prudence will improve, and the opposite conduct lower it, both as regards himself and his children after him, is the true source of that moral restraint which so strongly characterises the Swiss and Norwegian peasant-proprietor, but in which the Irish cottier is so egregiously deficient.

It is indicative of the spirit and the blindness with which the measure here advocated is generally opposed, that those very traits of the Irish character which are the natural and necessary results of the miserable insecurity of position into which they are forced—namely, their want of industry, turbulence, recklessness, and improvidence—should be continually, and with almost inhuman bitterness, brought forward as the main and almost the only arguments against proposals for placing these much abused Celts in that more secure position which can alone, upon the ordinary principles of human nature, admit of the growth, or even the existence of the opposite virtues.

It is said that the population which squats around the bogs and on the edges of the waste is generally of the worst character. Why what else can be expected of men treated in the manner lately mentioned? But does it follow that a population of small freeholders, cultivating their own farms, of from five to fifteen or twenty acres, would be similar characters? An example of the effect of proprietorship, under far less favourable circum-



stances, is mentioned by Mr. Thackeray,\* as occurring within two miles of the little town of Kilcullen, in Kildare, where “a tract of land, a few years since a marshy common, which had never fed anything but a snipe from the time of the deluge, now contains two hundred flourishing little homesteads, maintaining as many families in comfort and plenty.” And this was the result of a “squatting,” or unlicensed occupation, for which many of these new colonists were actually imprisoned, until the good sense of some of the neighbouring gentry prevailed over the anxiety of others to dispossess them.

“If the poor were permitted to have access to the waste lands of Ireland,” says Mr. Thornton, “it can scarcely be doubted that they might all be provided for in a thousand such colonies as that of Kilcullen.”

In considering such a proposal as is here made, its advantages must not be calculated only as the net profit to be made on the capital expended, or the increased rent to be derived from the reclaimed land. These would be no fair measure of the NATIONAL benefit to be derived from such improvements.

A better notion of this may be formed from the calculation of Mr. Baines, who himself, writing from Barton Grange, one of the reclaimed moss-farms of Lancashire, estimates the gross yearly produce of the three million of acres of Irish bog-land, if reclaimed, and made equally productive with his own farm (as he is confident they might be), at fifteen million bushels of wheat, thirteen million bushels of oats, 150 million bushels of potatoes, and a million and a half of fat sheep—an amount of food sufficient for the maintenance of six million of souls!

\* Irish Sketch Book, vol. i. p. 46.

Besides this great increase to the supply of food, the reclamation of the Irish wastes would afford employment in all parts of the country, but most in those parts where it is most needed—the counties west of the Shannon—employment, first in reclaiming, and then in cultivating them when reclaimed. By increasing the surface of cultivated land, it would diminish the intensity of the struggle for its possession. If divided into farms of 15 or 20 acres, as suggested in the Devon Commission Digest, and leased in perpetuity at a quit-rent sufficient to repay the cost of the undertaking, or sold outright, some 200,000 independent freeholders—a class of which Ireland stands in much need—might be permanently established upon them. A few model farms and agricultural schools, founded here and there, would instruct these peasant-proprietors to turn their position to the best advantage, and covenants might be imposed in the deeds of sale or lease to prevent any injurious subdivision or sub-letting of the lots. The condition, even in these years of famine, of the tenants on the estates managed by Mr. Blacker, Mr. Kennedy, and many others, affords proof that a large amount of produce may be raised, and a comfortable living made by the occupiers of farms of from eight to fifteen acres under such circumstances.

Now, this is an operation which might be at once set about and executed. It would require far less time or preparation than any scheme of colonization adequate to produce a tithe of the effect. With respect to the means of defraying the cost, there could be no greater difficulty in providing them for the former than for the latter scheme. Indeed much less would be required. If the Government is unwilling to advance the funds, they

might be borrowed in the market, on the joint security of the lands to be reclaimed and of the poor-law unions, whose able-bodied paupers would be in the first instance set to work upon them. The waste land purchased need not be paid for at once, but by instalments, or by a permanent fixed quit-rent equal to their present value. And if the reclaimed lots were promptly sold, funds would be rapidly coming back to hand, and no very large advances required. There would be no want of purchasers from among that class of enterprising and frugal farmers who are now yearly quitting their country, in despair of being able to live in it, and carrying away each his little capital of £50., £100., or £200., for investment in America. A capital of from one to two millions, it is calculated, filters away in this manner yearly from Ireland, and with it go the very flower of the population, whom the country can least spare.

It requires but an effort on the part of the Government to divert this out-flowing stream of capital to the fertilization of our home soils in lieu of those of America—to afford productive employment to hundreds of thousands of poor labourers, who are now earning a pauper's dole only by breaking stones which no one wants, or walking half a dozen miles to the food depôt—to relieve the fearful and destructive competition in the labour and land markets of Ireland, to the extent (as already indicated on the best practical authority) of a population amounting to two millions and upwards; and yet to retain that population in a position which must make it contributory to the wealth, strength, and prosperity, instead of being, as at present, a burden, a

nuisance, and a source of serious peril to the safety of the community.

This is a remedial measure which public associations, county meetings, and many of the most intelligent Irishmen have long earnestly asked for. It was last year proposed to Parliament by the Premier himself. What may be the obstacles which then prevented, and now prevent, it being carried out, can only be guessed at. But if they consist in the infatuated determination of Irish landlords to retain, like dogs in the manger, their empty power over the lands which they do not, cannot, or will not put to any use themselves, but still persist in preventing others from using to employ the idle and feed the starving, it is time they should learn that the rights of property may be strained too far, and cannot be admitted to sanction the locking up of the natural resources of a country whose population is in the last agony through this denial to them of the means of living provided by heaven for that purpose.

I will conclude with a passage from the interesting little work of Mr. Bennet :\*—

“ So long as there is land that would repay the expense of labour lying unreclaimed, and much more land lying only half cultivated, it is opposed to every mercantile principle to send that labour away. We have in Ireland the two great elements that lie at the foundation of all national and individual wealth—land and labour. We have them both in superabundance; with an immense amount of labour lying idle, which might be applied to the equally idle soil, the waste of national wealth is beyond calculation. The want of national policy is as great as the national sin in this respect. Place these three or four million Irish in a fair position, enable them to earn the necessities and decencies of life, and we have a finer market opened at home than any of our hard-

\* Six Weeks in Ireland. 1847.



earned and expensively maintained possessions abroad; and Ireland is capable of maintaining in comfort several times its present amount of population."

I have trespassed much on your indulgence, though as yet I have touched but one branch of the subject—the Irish waste land question. Should you afford me the space, I shall be prepared to prove that there is ample room likewise on the lands at present imperfectly cultivated in either island for the profitable employment of much additional labour and capital, under a better system of land-tenure and transfer.

I remain, Sir, your obedient servant,

G. P. S.

April 24, 1848.

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#### LETTER IV.

SIR,

I HAVE already said that a vast field for the profitable and productive employment of capital and labour might be opened in Ireland by the alteration of her land laws—in the improvement of her cultivated, or rather half cultivated, land, independent of the reclaimable wastes already treated of.

As a general proposition every one admits this; but few expand their views to the conception of the immense increase of national wealth that might be thereby created. It is to this point that I am anxious to call attention. Drainage alone, it has been declared on good authority, would, in that peculiarly moist climate, double the produce of some ten millions of acres.\* The authors of the

\* See Evidence before Lords' Select Committee on Land Drainage, p. 70, &c.

“Digest” assert, as the conclusion arrived at from the mass of evidence on the subject taken by the Devon Commission, that there is room for the investment of a sum of about 84 millions of capital in this operation, that it would return at least 15 per cent., or *twelve millions per annum*, in increase of *rental*. The increase of *produce* (which is the national gain) must be many multiples of that sum in value. Nor can this be considered an exaggeration. The agricultural produce of the cultivated land in Ireland is now, acre for acre, not much more than one third that of England; though it is notorious that much of the English soil itself is in want of drainage and subsoiling, and might be made to produce very much more than at present by higher culture. It is not, then, too much to say that the produce of Ireland might be quadrupled, with profit on the outlay necessary for this purpose; and, indeed, Mr. Blacker has shown that if the whole country were only as well cultivated as some small farms under his management in the county of Armagh, its produce would be multiplied six-fold.

Why, then, need we carry our capital and labour to the antipodes, when such a mine of gold exists unworked as yet beneath our feet?

But it may be objected by some one, that if such an immensely-increased production as is here contemplated could be realised, prices would fall, and the expected profit disappear. Not so, however. The increased agricultural produce would, in the first place, only take the place of that which we otherwise shall import. And, in truth, with the supply, the demand will proportionately increase. The Irish producers themselves are quite capable of consuming, in *value* at least, if not in quantity, twice as much as they do now. They might hope then



to give more of their potatoes and meal to their pigs, and eat more of their pork and bacon themselves. And with their power of paying in produce, who can doubt that their demand on the English manufacturing districts for clothing and comforts of all kinds—in which they are now so deficient—as well as on English commerce for tea, sugar, tobacco, and other luxuries, would contemporaneously enlarge itself? The same may certainly be said, also, of the landlord's increased rent. *That* is sure to be spent somehow or other. In this way, indeed, the increase of agricultural produce from our home soils is always not only a benefit *per se*, but the cause of an increased demand for the produce of nearly every other branch of industry, giving room for the profitable employment of additional labour and capital in those departments likewise. Therefore it is that our manufacturing districts so sensibly feel the difference between years of agricultural plenty and the opposite. When farm produce is abundant, they are well fed and well employed. When scanty, their work and pay both fall off together.

Nor, in fact, is it easy to conceive the possibility of a permanent superabundance of agricultural produce. The desires of the industrious population for its consumption are unlimited. They can only eat a certain quantity of bread per head, no doubt; but in the concentrated form of the flesh of animals fed upon the superabundant grain or roots, if such there be, any conceivable quantity can be consumed. The only limit, therefore, to the effective demand is that of the means possessed by the non-agricultural classes of paying for food and other raw produce, which is measured by the amount of manufactures and other commodities they are able to produce. But there is no limit to this amount, so long as capital and labour

abound ; for the coal and iron and other primary materials of our non-agricultural industry may be considered inexhaustible. Capital, we know, tends most rapidly to increase whenever it is in demand. And we are brought then to the conclusion that a scarcity of *labour* alone can limit the profitable demand for the products of our industry of every kind, so long as the productiveness of our home soils remains unexhausted. Scarcity of labour, however, is no subject of apprehension, since it would imply an immense improvement in the condition of the working classes—the great desideratum of the day. And, short of this, the only limit is the productiveness of our soil, which I hope I have shown, though very briefly, and confining myself as yet to Ireland for reasons already given, to be by no means fully developed—or, indeed, half developed—according to the standard of agricultural skill and science which is already within reach, or which ought to be, and might be, brought within reach of every cultivator in the three kingdoms.

What, then, is the obstacle that hinders this most desirable improvement of the agriculture of Ireland from spontaneously taking place? The reply is—first, the crippled condition of the landlord ; secondly, that of the tenant, under the existing law and practice of land-tenure.

The former is frequently but the nominal owner, bound hand and foot by entails and settlements, and with perhaps, a doubtful title—usually, moreover, embarrassed by heavy debts and mortgages. In this state he has no interest in making permanent improvements, supposing he could afford to make them. He is unable to sell, though the sale of a part of the property might enhance the value of the remainder ; unable to grant sufficiently long leases to his tenants to encourage them to improve ;

on the contrary, forced by his necessities to exact from them the highest possible rental, and ultimately, perhaps, to transfer the management of his estates to even a worse landlord than himself—a receiver under the Court of Chancery.

Meantime the tenants in possession are little better than paupers, holding their land at rents which leave them but a bare subsistence ; at all events without any motive for improving a property in which they have no certain tenure—the rent of which, indeed, they have reason to dread would be increased if by any improvement in their outward circumstances they appeared capable of paying more.

There are, of course, exceptions to this state of things ; but it is generally true. And the result is, the lamentable waste of the national resources in land, labour, and capital, which has been indicated above.

What, then, are the alterations required in the law to remedy so monstrous a mischief, by freeing the owners and occupiers of the Irish soil from the fetters that now paralyze and prevent their making the most of it ? They are two-fold. Measures, first, for improving the position of the landlord ; secondly, that of the tenant.

Measures, it will be said, are already before Parliament for these very purposes. But I cannot admit that either the Encumbered Estates Bill, or the Landlord and Tenant Bill, are at all adequate to the emergency of the case, even if they are likely to be operative at all, which is doubtful.

In order to give that entire freedom to the ownership of land which is indispensable for its most productive use, it will, probably, be found advisable ultimately to allow of its sale, in all cases, notwithstanding entails or settle-

ments. But as it is presumable that purchasers could only be found for a limited quantity of land, it may be sufficient, for the present, to allow the tenant for life of an encumbered estate to sell enough to pay off the incumbrances, under the sanction of some court, to be appointed for the purpose of securing the interest of reversioners. Some simple mode of proving title, and the validity of the incumbrances, and a short form of conveyance giving a Parliamentary title to the purchaser, are indispensable. Such a measure would operate effectually in transferring, before long, the proprietorship of a large quantity of land from persons who have neither inclination, means, nor power for making a proper use of it, to others who have all the capital, knowledge, and industry necessary for the purpose. If the land is sold in small portions, purchasers will not be wanting; I do not mean in the frightful circumstances of the present crisis, but in such as would be likely to follow the enactment by Parliament of a comprehensive series of vigorous measures for the social amelioration of Ireland, such as those here referred to.

The owner of an entailed estate should likewise be empowered, with the assent of some competent authority, to charge the property with the cost of effecting durable improvements, and also to grant long leases, extending even to 60 years or upwards. Few improvements of a permanent character, such as the erection of good buildings, or reclamation of waste land, will be properly undertaken upon shorter terms of tenure. Leases for lives renewable for ever should be converted into perpetuities. An improved National Registry of landed property, such as that suggested by Mr. Stewart for England, is a want that cannot be too soon supplied. Its



absence is a trait of barbarism in our institutions, most discreditable to the age.

Why should not land be as cheaply transferred as stock, and by as simple a process?

Can any reason be alleged to satisfy a candid mind of the necessity of keeping up in the present day the cumbrous, costly, complicated, and dilatory system of conveyancing, by which lawyers perhaps are enriched, but the nation, as well as all other interested parties, impoverished.

Mr. Stewart's proposal for securing the title to all real property by a system of insurance, is an admirable suggestion — capable, if properly developed, as its author himself anticipates, of raising the saleable value of land perhaps from 30 to 40 years purchase—and of realizing an immense sum to the Exchequer in the form both of a moderate tax on such assurances, and of the increased stamp duty which would be received on the vast increase of sales which would follow from such simplifications as he suggests in the title and conveyance of landed property.\*

It is difficult to limit the amount of improvement that might reasonably be expected from increased facilities for the transfer of land in Ireland. Much of it would, no doubt, get into the hands of persons possessed of capital, enterprize, and habits of business, who would set to work with energy either to improve and highly cultivate it themselves, or to secure its improved cultivation by affording aid and encouragement for that purpose to the existing tenants.

The latter of these alternatives is the one which must

\* See Stewart's *Lectures on the Means of facilitating the Transfer of Land*. Longman, 1848.

be looked to as generally preferable ; inasmuch as any large extrusion of the existing tenant-farmers from their holdings would create extreme suffering and discontent, and add to the difficulty of tranquillizing the country, and rendering the investment of capital there safe or prudent.

The wisest and most judicious course that can be pursued, whether by the Legislature or by individual proprietors, having ample legal powers of dealing with their land, will be, avoiding any attempts at clearance or consolidation of the small farms, to endeavour to stimulate and by aid and instruction to enable the existing tenantry to develop the full productiveness of the land they occupy, and which may undoubtedly be made as productive, if not more so, on the small as on the large farm system.

In what way Legislation may advance this most important object is a subject I must reserve for consideration in another letter.

I remain, Sir,

Your obedient servant,

*April 27, 1848.*

G. P. S.

## LETTER V.

SIR,

One question still remains; namely—what alteration is needed in the law of landlord and tenant in Ireland, to encourage—or, indeed, enable—the latter class to make the land they occupy as productive as possible by the energetic application of their capital and labour to its improvement and better cultivation ?

It is not presumable that any solution of this much-vexed problem can be wholly free from reasonable objection ; still less, that it can satisfy those persons who demand that the landlord's existing rights shall all be pre-



served in their integrity, while yet the tenant is to be secured in the possession of rights not now belonging to him, as against his landlord.

We must, indeed, despair of any effective arrangement of this question being ever arrived at, unless the Legislature is prepared to admit, as the basis from which to start—first, that the state of this land-question in Ireland has reached a point of terrific danger to both property and life in that island, and to the safety and integrity of the United Empire, such as to render it imperatively necessary to effect some thorough settlement of it without further delay; and, for the sake of this paramount object, to wave all scruples against interference with strict legal rights, which, under present circumstances, are valueless, from being untenable. Secondly, that the condition of Ireland, as respects this question, is *sui generis*; and, especially, so distinct in all its salient points from that of England, that the kind of legislation required for the one is no rule or guide, and can never be drawn into a precedent, for the other.

The minute subdivision of farms in Ireland, the practice of leaving every permanent improvement, even buildings, drains, fences, reclamation, &c., to be done by the tenant—the landlords, as a general fact, having rarely themselves expended any capital whatever on their estates—no less than the formidable character of the crisis to which Ireland has been brought by their neglect of these and many other obligations which English and Scottish landlords have immemorially taken upon themselves—establish so broad a line of distinction between the two islands, as not only to justify, but to call for, a totally different mode of treatment.

Unless this preliminary be broadly and clearly admitted, a Parliament chiefly composed of British as well as Irish landlords, can never be expected to deal with the question in the bold and vigorous manner which the circumstances of the country and of the times require, and a repeal of the Legislative Union alone can in this case afford any prospect of its being so dealt with.

There is a further consideration still to be taken into account. One, likewise, of paramount importance. It is notorious to all who have studied the real character of the circumstances connected with the tenure of land in Ireland, that the occupiers *have* up to this time enjoyed—more or less interruptedly and precariously, it is true, and more fully in some districts than in others—a tenant-right, openly saleable in the market, and of considerable pecuniary value, often reaching to ten, or fifteen, or more years' purchase of the annual rent; that this practical right they have enjoyed without any sanction from the law—indeed, in defiance of it—*by virtue of a law of their own making and maintaining*—the agrarian code of terrorism. Although very anxious to husband the space you so obligingly concede to me, I must fortify this position by a brief extract from the Digest of the Devon Commission (p. 158, 9):—

“It has been generally the practice in Ireland for the tenant, even when holding at will, or from year to year, to build his own habitation, farm offices, fences, &c.” . . . “It was not easy for a man when building a house, and thereby investing his property permanently in the land, to imagine that he had still in equity only a year's title; that he might in justice be removed at the end of that year, leaving his investment behind him.”

“As the principle affected the great mass of the people, all were interested in inventing a remedy.”

“ The remedy was a simple one. Failing that equitable settlement, which was neglected by the landed proprietor and the Legislature, it was only requisite to appeal to Lynch law, and to extort a payment by intimidation from the incoming tenant.”

“ The forms of proceeding are summary and peculiar, the first notice to the defendant being the burning of a stack or a house, if not the firing of a shot from behind a hedge ; and the results of the practice appear to be somewhat different in different parts of Ireland. In most of the northern counties the incoming tenant thinks it preferable to make his arrangements methodically with the person going out, and to insure his life by the payment of a considerable sum of money, varying from five to ten, and, in many cases, to a much larger number of years’ purchase of the rent ; and this on farms not only where no improvement may have been effected, but where much injury may have been done by the outgoing tenant.”

“ These arrangements in the north are generally either authorised or connived at by the landlord ; but they have not yet been put upon so methodical a footing in other parts of Ireland. Hence the agrarian outrages so frequent in the latter.”

To which I may add, that on the analysis of evidence taken by the Commission, it appears that the practice of the sale of tenant-right, so acquired and maintained, far from being confined to the province of Ulster, is noted as “ prevalent ” in thirty-one out of the thirty-two counties of Ireland ; the single exception being that of Dublin.

The peculiarity of the province of Ulster consists simply in the fact that both landlords and tenants—with the shrewdness derived probably from the admixture of Scotch blood in their veins—have thought it wiser and more for their common advantage, to eschew Lynch-law, and maintain voluntarily, in place of it, that system of tenant-right (or sale of goodwill by out-going to incoming tenants), which preserves the peace, encourages the agriculture, and secures the full payment of the rental of that province, making it so strong a contrast to the disorganization and neglected agriculture of the

southern and western counties (of which Tipperary is the type), where tenant-right—though claimed by the occupiers, and acknowledged among themselves, is discountenanced and denied by the landlords—and where consequently, though with a better quality of soil, cultivation is neglected, rents difficult of collection, and less in amount, neither landlord nor tenant really masters of their property, and tranquillity and respect for the law hopeless of attainment.

Now, it has been very properly determined on by the Legislature that, as the first step towards the improvement of society in Ireland, this system of agrarian or Lynch-law must and shall be put an end to. Coercive measures of great severity have been passed for this purpose ; and special commissions and numerous executions and transportations have attested the firm resolve of the Government to carry out this determination. But is it not just, is it not wise, is it not fitting, that, *at the same time*, measures of *equal vigour* should be passed for the purpose of affording to the occupying tenantry of Ireland, in a legal form, that security of tenure, that protection to their only available means of existence, which they have heretofore been driven, by the neglect of the law, to seek—and *have*, more or less, *practically obtained*—by illegal and criminal combinations?

Have the landlords themselves any ground for claiming, as a right appurtenant to their proprietorship, the power of ejecting their tenants without the satisfaction of their tenant-right—a power which, on a large scale, and, speaking generally, they have never hitherto really enjoyed?

By its recent penal legislation (not to mention the operation of the Poor-law in the same direction) Parlia-



ment has greatly strengthened the power of the landlord. Considering that the course of legislation for a century past—indeed, ever since the reign of Anne, when all persons except land-owners were excluded from Parliament, has uniformly been of the same partial character, it is surely time at last to legislate for the protection of the tenant, and to relieve him from that position of frightful insecurity which has so long unnerved his arm for the prosecution of industrious labour, but nerved it for deeds of violence, prompted by the instinct of self-preservation, and even of *justice, which the law unquestionably denies to him.*

It is a common fallacy—though a very natural one for an Englishman to be deluded by—to deprecate all interference between landlord and tenant, as contrary to sound economical principle, which “should leave their relations to be determined by voluntary contract.” But this argument assumes that the two parties stand on equal terms already. Whereas, on the contrary, it is notorious in the first place, that at present in Ireland *land is life*;—there are no other means of existence open to the bulk of the people than its occupation; and hence he who has land to let may exact any terms he pleases, however impossible even of fulfilment, from the crowds of competitors who are struggling for it: in the second place, that the law, as it stands at present, is the result of innumerable interferences in favour of the landlord, and against the tenant. Some sixty acts of this one-sided legislation stand catalogued in the statute-book. Repeal all these acts, and restore the old common-law relation of landlord and tenant, and something might be said against interference with their free bargaining. But at present the very gist of the complaint is, that the existing law *does* determine

the conditions of these contracts in a manner most injurious to the tenant, and such as to discourage his industry, and prevent his investing capital or labour in the improvement of the soil with any heart, from want of security for the enjoyment of its returns.

It is the existing law which arms the Irish landlord with powers of ejectment, far more expeditious, cheap, and severe than what are possessed by landlords in England. It is the law which gives him powers for recovering his claim for rent by *distress*, superior to those of any simple contract creditor. It is the law which (contrary to the rule prevailing with respect to *trade fixtures*) prohibits a tenant from removing *agricultural fixtures* on his quitting his farm. All the existing relations between landlord and tenant are the creation of law—but of one-sided landlord-made law. And yet, when a proposal is made to legislate for the protection of the oppressed and almost annihilated tenantry, a cry is raised, “Don’t interfere with the freedom of contract between the parties !” There is neither sense nor justice in this.

The broad and overwhelming argument for the legislative concession of some substantial tenant-right to the occupying farmers of Ireland, is the necessity of putting an end to that paralysis of industry which renders the natural fertility of her soil unavailable, and impoverishes every class, the landlords inclusive—indeed, threatens speedy ruin to the entire island. No sane man, with a correct knowledge of the mode in which land is held in Ireland, can hope to substitute the English or Scotch system of large farms for the small-farm cultivation so universal there. The great bulk of the actual occupiers must be retained. They cannot be got rid of—even if it were desirable to do so, or just, or prudent to attempt



it.\* It only remains to induce and enable them to exert all their industrial energies, and invest their labour and their capital in the better cultivation of the land they have in possession. And this can be easily and almost at once attained by giving them the unfailing motive to industry—security for the enjoyment of its fruits—in the shape of a definite, liberal, and well-secured tenant-right.

Such a right, to be most effectual, should it is evident, be brought as near to ‘fixity of tenure, subject to a certain rent,’ as can be done without violating the just rights of the proprietor.

The extraordinary diligence—the ‘ardour of industry’ with which men labour upon *their own* property has been already alluded to. It is, in fact, the key to all institutions for promoting national wealth and prosperity. The real resources of the country can never be developed, the full productiveness of its soil will not be ascertained, until the farmer, *like the manufacturer*, has the natural

\* The question of the comparative productiveness of the large and small farm system of cultivation is still in dispute. Mr. Blacker gives it as the result of his experience in Ireland that the small farmer can beat the large one out of the field. The large amount of produce raised by the allotment tenants of England, as compared with the large farmer’s crops upon the same soil in the adjoining fields, tells in the same direction. Mr. Mill comes to the conclusion that “with anything like equality of skill and knowledge, the large farmer does not obtain nearly so much as the small *proprietor*, or the small farmer *with adequate motives to exertion*.” “The gross produce of land,” he concludes, “is certainly GREATEST, *ceteris paribus*, under SMALL cultivation, and a country is able under that system to support a larger population.”—*Political Economy*, I. chap. ix. § 4.

encouragement to industrious exertion and expenditure of capital in agricultural improvements, which consists in the certainty of enjoying, by means of an absolute *right* to, the full value of all he creates.

The concession of this right is, however, said to be opposed to the claim of the land-owner to the improved value of his land. And no doubt that claim is just so far as the improved value may arise from a general improvement in the markets, a greater demand for land in the particular district, or any local, general, or accidental circumstances whatsoever—*other than the exertions or expenditure of the tenant*. But whatever increased value has been given to the land solely as the result of his labour or capital, ought, surely, on every principle of justice no less than of policy, to belong to the tenant himself. It is his creation, and should be considered his property, as was the labour or capital which produced it. If he erect a dwelling-house or farm-buildings, or drain a marsh, or embank a river, or reclaim a tract of rough and barren land—without assistance from his landlord—the improved permanent value which he thereby has added to the farm should be his, and his only. Of course this is not meant to apply to cases in which it is a part of his contract that he should make such improvements; as where land is taken under a building lease, or a farm at a reduced rent in consideration of improvements to be made by the tenant. But where no such agreement or understanding exists—where it is open to the tenant to make no improvements—what claim has the landowner in abstract justice to appropriate the additional value which the tenant may create?

Suppose two farms of equal quality and value, side by side, and let to A. and B. respectively for 21 years. A. builds a good house, with good offices, drains, subsoils, reclaims waste land, cultivates well, and at the end of the 21 years his farm is worth just double what it was at the commencement. B. lives in the old hovel, makes no improvement whatever, and his farm, at the expiration of the same term, is in no degree improved in value. The landlord has no reason to complain of B., who has fulfilled all the terms of his contract, and restores him his land precisely in the same condition, and of the same value, as when he received it. Then what equitable right can he have to appropriate, without compensation, the whole of the increased value (actually equal to the original fee-simple of the farm) which A. has added to it,—has in fact created,—by the outlay of his labour or capital? And how obviously unjust towards A. is the law which allows the landlord to take this from him, by either turning him out or doubling his rent, so as to make him pay a second time for his own improvements!

But, it will be said, “A. ran this risk with his eyes open;” he knew, of course, that he was expending his labour and capital on another man’s freehold, and that he might be called on to leave his farm or pay an increased rent at the expiry of his lease! Yes, but this is exactly the worst mischief of the whole system;—it tells every tenant he must refrain from improvements—be content with a hovel to live in, with water-logged and waste land, and low farming, or, as the only alternative, *improve for the benefit of another, not of himself!*

It may be the case, even, that A. has not lost by the

bargain, and that at the end of the term, on quitting the farm which he has doubled in value, he may not be a poorer man than B., who, instead of laying out all his savings in the permanent improvement of his farm, has deposited them in an old stocking, or the Savings' Bank (with the view of going off to America, perhaps, where men are enabled to own the farms they occupy). But mark how differently the conduct of the two men affects the interest of the community and of the state! In the one case the permanent value of the land has been doubled, and its annual produce probably quadrupled. In the other, both have remained stationary. And yet we maintain a system which directly tends to make the latter case (B.) the rule, the former (A.) the exception;—a system which in the highest degree discourages the improvement of land by its occupiers, and imposes a special penalty on the investment of capital and labour in AGRICULTURE, to which it is not exposed in any other branch of industry; thus artificially restricting the production of the most important necessities of life and materials of manufacture—the very foundation and germ of all material wealth.

The amazing (and not a little perilous) development of every branch of trade and manufactures that has of late years taken place in this country, so out of all proportion to the progress of its agriculture within the same period, is owing, no doubt, to the distinction here pointed out, namely, that in the former undertakings the entire profit, or increased value which may be created, by any increased exertion, or improvements in the skill, instruments, or materials employed, belongs to him who makes



them exclusively ; while in agriculture, under the present practice and law of tenantry, such increased value, if created, may be seized on by a third party, the landlord—who has contributed nothing towards it,—seized *every year*, if it please him, under the now generally prevailing practice of tenancy-at-will—at all events, after the expiry of the short term of years to which leases are usually restricted. The extent to which such a system checks agricultural progress—prevents that investment of capital and labour which is the most nationally valuable of any, because it forms a permanent and irremovable increment to the national wealth—namely, in the improvement of the soil of the country—and thereby artificially forces the active industry, ingenuity, and accumulated capital of the country into other more hazardous, and less nationally valuable channels, can scarcely be over estimated, and ought to command the serious attention of statesmen.

In England the evil is much mitigated, though by no means entirely removed, by the general practice of landlords to execute at their own expense or to contribute largely towards the execution of the buildings, fencing, drainage, and other permanent improvements of their farms whether held on will or on lease. There will always, however, be many most desirable improvements which the landlord or his agent is unwilling or unable to execute, and which the tenant dare not undertake at his own risk, without security for compensation in case of his being obliged to quit his farm. And hence in England the expediency of some legislative measure for giving this security has been long felt, and its enactment demanded by all intelligent friends of agriculture.



In the case of Ireland, where, as a general rule, the landlord does nothing, and never has done anything, towards the buildings, drains, fences, reclamation, or other more or less necessary permanent improvements of a farm, the abstract justice and expediency of allowing to the tenant full "compensation" for the improvements of this kind he may effect, are now admitted almost universally—in words. Indeed, it is only common honesty. But let it not be forgotten that this now acknowledged right has been up to the present day refused, and is still practically denied. In numberless instances landlords have not scrupled to double the rent of an improving tenant immediately upon his building a house and offices, or reclaiming a few acres of waste, or to turn him out and to relet the farm at the full value in its improved state. *They are doing so daily, even now.*

Is not this robbery? Robbery, it is true, sanctioned by law—but the robbery of the poor by the rich, of the industrious by the idle! Is it not time, then, so iniquitous a law were altered; if only as a matter of justice to the tenantry, that is, to the bulk of the people of Ireland?

But it is not merely a question of justice, it is that upon which the possible improvement, tranquillization, and prosperity of Ireland really depend; for "one circumstance of this kind in a neighbourhood," as several witnesses before the Devon Commission declared, and, as it is easy to believe, "is sufficient to deter a hundred others from making any improvements." "Things of the kind that have occurred ten or twenty years ago will be given you in reply when upbraiding them for not

improving their farms." (Q. 695.) And hence it is that improvements *are not made*, that waste land is not reclaimed, that decent farm-houses and fit offices are not built, that fertile soil is allowed to remain water-logged for want of drainage, that cultivation is slovenly and barbarous, that labour is unemployed although thousands are maintained in idleness from the rates, that destitution and misery stalk through the land, that discontent is almost universal among the peasantry, that, to use the words of an intelligent spectator well acquainted with the subject he refers to, "industrious men of capital are driven to emigrate from a country requiring agricultural development to the full as much as the wilds of Australia."

I. It is to remedy this unjust and ruinous state of things that a Landlord and Tenant Bill for Ireland has been for the third or fourth time presented to Parliament under the auspices of the Government.

But that measure will go very little way indeed towards effecting its object, unless divested of two leading faults which it at present possesses ; viz.—

1. That it puts a complete bar to all effective improvement under its sanction by requiring a host of preliminary notices, inquiries, arbitrations, references, appeals, and awards—enough in themselves to deter any tenant from thinking about improving by help of the Bill. And all these expensive, dilatory, troublesome, obstructive forms are to be gone through *again and again* ; to ascertain, first, that the improvements are wanted ; next, that they have been executed in accordance with the original award ; and, ultimately, that they remain in fitting

repair, and of full value at the time when compensation is demanded. Now what tenant will go through all this trouble and expense? or what confidence can he entertain of obtaining compensation at all by means of such a complex and varying procedure? Moreover, every one of these multiplied and costly forms and proceedings must be gone through for every fresh improvement which the tenant may desire to undertake!

Only consider what in fact is the ordinary process in which an industrious Irish farmer, desirous of improving his farm, if he can only get "security" for reaping the profits of his industry, would set about it. The first thing he would wish to do, probably, is to build a better house than the mud or turf hovel he lives in. And this is to be desired; for, as Mr. Wiggins justly observes from long experience, "As the wretched hut debases a man's character, so the decent house elevates it, and by lifting him a step in the world, leads to efforts on the land afterwards which never would have been otherwise made."\* The next year he takes heart to build a barn, perhaps; in the third or fourth a stable, cow-house, and pig-styes. He then turns his attention to the land, and having heard, recently perhaps, of the advantages of thorough-draining and subsoiling, makes up his mind to try the effect of them on one field, or a portion of one. It succeeds; and next year he is willing to extend the improvement to other portions of his farm. Then, having fully dried his cultivated land, he bethinks him of enclosing and reclaiming a bit of the rough waste bog or mountain on which his cattle run in summer (perhaps even in winter), wasting their manure and injuring their

\* Wiggins, *Monster Misery of Ireland*, p. 229.

health. He finds that to answer too ; and so goes on, until, bit by bit, and step by step, he has brought his farm into complete order, and perhaps multiplied six-fold its productiveness. And this he does chiefly if not entirely, by his own labour and that of his family, at odd times, which would be otherwise passed in idleness ; or if by the outlay of capital, it will be that of *his own savings*, gradually made as he goes on ; the profits, in fact, resulting from these very consecutive improvements. It is not done as a capitalist executes a railway, or builds a ship, determining precisely before-hand what he will do, how long he will be about it, and what it will cost to the fraction of a penny ; but tentatively, timidly perhaps at first, with many doubts as to the profit that is to result—and still more as to his capacity to do more than “a little to begin with.” But the beginning once made, and proving successful, another step is to be ventured on, and so on, one drawing on another, till in the end the thriving farmer looks back on all that his industry and enterprise has accomplished, and wonders that he could ever have done, or thought of doing so much.

Now is it not certain that all this most desirable process will be nipped in the bud, stopped at the very outset, if it be rendered a condition that the tenant shall declare from the first all that he means to do, and have his projected improvements formally recorded in notices—with which he is *to serve his landlord* ! (he would very naturally himself expect to be served with *a notice to quit* in reply) —then measured, valued, discussed by arbitrators, over and over again—as if he were going to build a palace instead of, perhaps, a pigstye or a cow-shed ! and he is to pay, moreover, the cost of all these inspections,



arbitrations, and awards! And this he is to do and submit to every time he desires to make any improvement whatever in his farm, and to secure the chance of compensation for it by virtue of this bill! For as to his being able or willing to determine from the first all that he is ever likely to wish or to be able to do in the way of improvement, that is wholly out of the question.

It is quite clear that no scheme of this kind will answer the purpose of affording the encouragement to improve which it is so desirable to hold out to the small tenant farmer of Ireland. The valuation of his improvements must be once for all only; at the time when the claim for compensation arises. And in order to prevent claims from being put in after a considerable lapse of time for improvements which may not have been effected by the tenant, he might be required (as in the case of planted trees at present) to register, periodically, every year, in some simple form, such improvements as he has made, which it would be then open to the landlord or the agent to inspect, and to enter on the register any grounds of objection to their prospective allowance.

When the tenancy expired, the compensation due for such registered improvements might be determined by arbitrators, chosen as in the bill, with power to examine and ascertain the value they have added to the farm, and adjudge a sum to the tenant equal to so many years' purchase of such improved value as to them shall seem fit, or as the statute might prescribe—say twenty years' purchase for buildings in good repair, twenty-five years' for permanent improvements on land. The better way, however, would be to leave a discretion in this respect to



the arbitrators, since there are many improvements of an intermediate character, more or less lasting, but not absolutely permanent, which they alone can fairly estimate upon view.

I cannot anticipate much practical difficulty in the working of such an arrangement. It is that which is generally recommended by experienced parties in Ireland who have given their opinion in favour of compensation for tenants' improvements.

Some may differ as to the precise nature of the tribunal by which the claims should be settled. Mr. Hancock, the receiver on Lord Lurgan's estates, recommends a sheriff and jury as a more satisfactory tribunal for disputed cases than any system of arbitration, from extensive experience of both. He adds :—

“The great value of a jury is that *its decisions secure the support of the community* ; and as regards tenant-right, when disputed cases now lead so often to outrage and crime, it is of the utmost importance that the tribunal for deciding such cases should carry the confidence of all classes with it.”

Perhaps a district assessor, appointed by Government, or the assistant barrister having power to appoint an umpire or jury to inspect, might be the most competent party to determine disputed questions of compensation.

2. The other fatal principle contained in the Bill now before Parliament, is that it assumes enjoyment by the tenant of the profits he may have gathered from his own improvements, for some definite term of years (twenty-one in the Bill), to be a compensation in full for his interest in them.

This at once cuts down the inducement to the occupiers

of land to improve, which it is so desirable—looking to the agricultural, social, and political state of Ireland—to make as cogent as possible, by all the difference between a perpetuity and twenty-one years' purchase!

But it is essentially impracticable. For from what period is the term of tenure to date? The completion of the works, says the Bill. But most of the improvements, such as draining, subsoiling, reclaiming, &c. will be, and ought to be, always going on, up to the last day of the tenant's holding. So that the term of compensation would be perpetually renewed, and never come to an end. If to obviate this, it be declared that after a fixed term no new improvements shall be commenced, the main object of the measure is defeated.

Moreover, this principle is unjust, and destructive of that which is, or ought to be, the principle of the measure itself; namely, that the *full* value of the permanent improvements which a tenant, of himself and without aid from his landlord, may have effected on his farm, belongs of right to him, and should be repaid to him on his quitting. If he has built a house or drained a field twenty years back, and the house and drains are in as good order, and add as much to the value of the farm as if they were completed only to-day, why should he be paid less for them? Why should the landlord pay less for them? The principle introduced into the Bill would extinguish his claim totally in the one case, but pay him the full value in the other! There is neither sense, nor reason, nor justice in this distinction, whether as respects the tenant or the landlord. Whichever has the right to the whole value in one case ought to have it in the other.

As a matter of public policy, it must be evident what an inducement such a limitation of the principle of compensation would hold out to merely “provisional” improvements—sheds and hovels fitted to last only the limited time, imperfect drainage, temporary ameliorations of the soil, and its complete exhaustion towards the close of the term, when the right to compensation would expire.

It is not by concessions in this mean, narrow, truckling, and Jew-bargain-driving spirit that the landlords of Ireland or the Imperial Legislature can stimulate the desponding and utterly prostrate energies of the tenant-farmers who occupy its entire soil to those industrial efforts by which alone that country can be rendered prosperous—nay, saved from impending ruin.

3. There is a third defect in the Bill which it is impossible to pass over; namely, that in the case of all tenancies above £10. in annual value, it takes no account of *past*, but only of *future* improvements. Now, if the principle is just as to the future, it is equally so as to the past. And can there be any thing more certain to create discontent and dissatisfaction among the class of tenant-farmers in Ireland than a law which shall say to them, “Such of you as have built houses and made permanent improvements on your occupations up to this time, shall have no compensation at all. But if you have been inactive and slovenly, and delayed all improvement till now, you shall be compensated for all you may henceforward make?”

It is clear that to be just, and to satisfy the well-founded and highly-wrought expectations of the occupying tenantry, compensation for improvements must be

made retrospective. And though the absence in these cases of such a register as has been above suggested for the future, may occasion some difficulty, yet it seems the general opinion of the practical men who appeared before the Devon Commission, or who have since published their recommendations to this effect, that either by arbitration, or by reference to the assistant barrister's court, such claims could be equitably and safely determined. The presumption will always be, from the general practice of the country, that whatever *bona fide* improvements appear on the face of the farm have been executed either by the tenant or by those whose rights he has purchased or inherited. Any exceptions to this rule would be notorious to the whole country, and might be easily proved by the landlord or his agent.

With respect to holdings *under* £10. in annual value, the Bill professes to afford compensation retrospectively, but in reality refuses any compensation at all worth discussing, whether for past or future improvements, by limiting it in all cases to such as have been made within *five* years of the claim being put in, (!) and in the case of buildings, to such as the landlord may have given his tenant leave in writing to put up! If this were not meant for a mockery, it had better have been left out of the Bill altogether. Mockery though it be, it affects a class of cases of no light magnitude and importance. From the Digest of the Evidence before the Devon Commission it appears that the number of holdings under £10. in value amount to about three-fifths of the whole. To the majority, therefore, of the occupiers of land in Ireland, the measure offers positively nothing! For what perma-



nent improvements can these small holders have effected within the last five years—three of them years of famine, during which it was difficult for any—impossible, alas ! for many—of them to *live*, and carry on the ordinary culture of their farms ? And even should any one of them have erected new buildings within that short term, he must shew the landlord's permission in writing to do so, a thing which probably no one single cottier-farmer has got to shew through the length and breadth of the island !

So much for the past. But, in regard to the future, the prospect held out to the cottier-tenant is equally illusory. What landlord will in future ever give leave in writing to tenants of this class—a class which they are generally desirous to get rid of by every means in their power—to build a new house ? Or if such an one there were, in order that the tenant shall be entitled to receive any compensation under the Bill, he must be turned out of it *within five years*. If he retain for that period the buildings or any other improvement he may have executed, his claim ceases to any compensation at all ! His landlord may eject him from the new house and offices he has built, from the farm which he has sweated and starved himself to improve, as soon as *five years* have struck ! So that while pretending to hold out the boon of compensation for past improvements to the small landholders of Ireland, the Bill not only limits it to improvements which are certain not to exist under the conditions required, but also cuts off this class of tenants from that meagre and miserable amount of compensation for future improvements which it professes to hold out to the higher class !

None can be surprised that a measure so framed



should have been received in Ireland with one burst of indignation and scorn—and that, instead of allaying, it has greatly increased the prevailing determination to be satisfied with nothing short of “fixity of tenure.”

II. But after all that can be done by legislation to confer just rights on tenants who hold under existing leases, it seems clear that in the case of tenancies at will—which are said to cover three-fourths of Ireland—and perhaps even of future leases—the landlord will yet have it in his power to set aside or evade the Act.

Tenancy at will is essentially incompatible with any kind of security to the tenant for the recovery of what he may expend on his farm, beyond the bare ploughing, sowing, and manuring, which the year's crop may be expected to repay. Improvements of a more durable character, the benefit of which would be unexhausted at the close of the year, it will always be in the power of a needy or greedy landlord, or exacting agent, or Chancery receiver, to appropriate, by a corresponding rise of rent, or by ejectment; and, consequently, it is hopeless to expect such improvements to be generally made under so precarious a tenure. The only effectual remedy would seem, therefore, to be, discouragement—perhaps, even, the entire prohibition—of tenancy at will. The late Mr. O'Connell was so strongly impressed with the necessity of bold legislation in this direction, that in one of his last speeches in Conciliation Hall, on the 13th April, 1846, he went the length of recommending that no distress for rent should be allowed, except where there was a twenty-one years' lease; and no ejectment for non-payment of rent unless under a lease for thirty-one years.

His intention no doubt was that the landlord should in all other cases stand on the footing of an ordinary simple-contract creditor. Such a change would, in fact, cause long terms of tenure to be almost uniformly given ; and with the same object in view, it might be desirable to place the Poor-rate, County Cess, and generally all local taxes, on the landlord alone, where the term of tenure is shorter than twenty-one years. Of course it would be necessary at the same time to empower all holders of estates for life, or other parties now incapacitated, to grant leases of that duration at least. Should the practice of granting leases of not less than twenty-one years by this means become generally extended, and were compensation for *bonâ fide* permanent improvements at any time made by the tenants secured to him, in the manner recommended above, a vast stimulus would unquestionably be given to agricultural improvement in Ireland, from which the most valuable results to the community at large must flow—results of which the landlords themselves cannot but share the benefit in the increased value and security of their property.

III. But another element of the question has now to be considered—namely, the right already possessed by the occupiers of land in Ulster universally, and more or less partially in the other provinces of Ireland—a right founded on long-established custom, if not on law—to a saleable tenant-right or good-will, independent of improvements, and reaching in value to ten, fifteen, and even twenty or more years purchase of the farm (although

nominally held at will)—being, in truth, a *de facto* proprietorship in the land.

This is a FACT, which it will not do to pretend ignorance of, or to treat lightly. The right exists. It has been from time immemorial recognised in practice, and in the inferior law courts even as a property—has been as such bought, sold, inherited, bequeathed, and transferred to creditors. And few will venture to assert that as such it ought not to have been long since openly established and protected by law.

It is a mere evasion to say that the right depends on custom, and not on law. All the better part of our law is, in fact, nothing else than custom.

“It is one of the characteristic marks of English liberty,” says Blackstone, “that our common law depends on custom.”

A wise Legislature will be always ready, nay, eager, to give the force of law to every custom which the general assent of the community has stamped with its approval; not only on the theoretical ground that the law ought always to be the expression of the will of the community, but also for the obvious practical reason that the law ought not to encourage or enable individual caprice, obstinacy, or selfishness, to set at nought or defy any rule which the community has by general consent laid down, and which parties have acted upon on the faith of its general observance. In Ulster, for example, as the law is now interpreted, any one obstinate or grasping landlord may refuse to concede or permit his tenants to enjoy their tenant-right, however long established among them. And he may call in the whole

civil and military power, which the Executive *must* afford him, in aid of his determination, and to put down any resistance to it on the part of his tenants, or those who may (as all the tenantry of the North probably would) make common cause with them. It has been said that the whole force at the disposal of the Horse Guards could not enforce the refusal of the tenant-right to the Ulster farmers. But is it right, is it prudent, is it safe (even putting the circumstances and signs of THE TIMES out of view) to preserve a state of the law which permits a single individual to raise a flame which might occasion the revolt of the loyal and well-disposed population of an entire province, and, in the words of one well acquainted with the state of feeling in the north, “create a Tipperary in Ulster?”

But the legislation of the Ulster tenant-right is not a question of policy. It is simple justice; and is required upon the first principles of jurisprudence, and with a view to the extension to Ireland of those free institutions which have so long been at once the boast and the safeguard of Britain.

In this country (England), it is notorious that our copyhold tenure rests only on the sanction given by law to a customary relaxation of the strict rights of landlords over their tenants at will, very similar to that upon which the custom of Ulster tenant-right, not yet recognized by the law of Ireland, rests at present. The only reason that can be given why this recognition has been refused there, though long since conceded in England, is, that in Ireland unfortunately the leaning of the Courts and of the Legislature has always been ex-



actly the reverse of what, according to Blackstone, it has invariably been in England. It has favoured restraints upon industry instead of freedom, and favoured the landlord instead of the tenant.

“The law of England,” says Blackstone (which is a law of liberty), “has always shewn a favourable disposition towards the tenants. It suffered *custom* very early to get the better of the express terms on which they hold their lands, by declaring that the will of the lord was to be interpreted by the custom of the manor, and even where no custom has been suffered to grow up to the prejudice of the lord, the law itself interposes with an equitable moderation, and will not suffer the lord to extend his power so far as to disinherit the tenant.”—(II. 98, Commentaries.)

It is legislation in this, the true spirit of the old English law, that is required in Ireland for the settlement of the tenant-right question. If the landlords stand upon “the express terms on which their tenants hold their lands,” and insist on the retention of their extreme rights, and “the power to disinherit their tenantry,” and the Legislature refuses to interpose with an “equitable moderation” of these unjust and injurious claims—all improvement is hopeless. But let “the favourable disposition of the law of England towards the tenant” prevail in the consideration of this question by Parliament, and its difficulties will disappear. What concessions may be made by the landlords will be repaid to them ultimately over and over again, through the increase of the general tranquillity and prosperity that must result from an equitable and satisfactory arrangement of this formidable bone of contention between the many and the few—the thousands and the millions—the legal proprietors and the *de facto* holders of the soil.



The legalization of Prescriptive Tenant-right cannot, however, be confined to Ulster, but should be extended wherever the custom may be proved to have in practice prevailed for a sufficient time back to confer the sanction of Prescription. The assent of the landlord must be presumed wherever it cannot be shewn that he has directly prohibited it. It will be urged that the proof of past sales of good-will—of the interference or non-interference of the landlord or agent—and of occasional variations in the terms of holding, for example, of the rent—will be intricate and difficult, and that the door will be opened to much perjury. But there is no reason to suppose that a fair tribunal will not soon be enabled to get at the truth on these questions, no less than on the various others, equally affecting the interests of opposite parties, which are constantly the subject of reference to legal determination. The custom of every particular barony or estate must be a matter of pretty general notoriety, and the agent or landlord will usually have ample documentary evidence with which to rebut groundless claims. If sufficient discretion be allowed to the Court which is entrusted with the decision of such claims, there will be no great difficulty in arriving at an equitable compromise of the conflicting interests; and the decision of a single case in each barony, or on each estate, would probably guide and determine the whole.

IV. There is a further ground for allowing some compensation to tenants quitting their farms—independent of improvements or prescription—which has not yet been mentioned. It is chiefly applicable to the case

of the small land-holders, or cottiers, and consists in the *total loss of livelihood*—of, under the present circumstances of Ireland, the only means of living, outside the walls of a workhouse or a gaol, which they sustain from their *eviction*. This is not merely a claim “*ad misericordiam*”—though in that sense a very strong one—but is based on the plainest principles of justice.

The ‘clearance’ of estates from these small holders—who are by most landowners considered a nuisance and a probable burthen—and the consolidation of their holdings into larger farms, is a process which has for many years been proceeding throughout Ireland, and which recent events and the influence of the new Poor Law especially have accelerated immensely. It is being carried on largely at present—in many cases most extensively and with shocking vigour and cruelty, producing the most frightful sufferings. It must and will go on, and cannot by any means be prevented, so long as landlords retain any power over their estates. For though the feeling so general among landlords in favour of consolidation is, I am convinced, to a great extent an error—and that the small farm system of culture will produce more, pay fully as much, if not more, rent, and maintain a far larger population than its opposite—and is therefore the only system appropriate to the circumstances of Ireland; yet it is beyond question that a very large number of holdings—those under five or perhaps seven acres, which amount to some hundred thousand in number—are too small for good and efficient cultivation. These then will have to be weeded out, by degrees, and with a due regard to the safety of the occupiers,

and the provision of other resources for their maintenance. But it is no more than just that the owner of an estate who, with a view to its improvement, dispossesses one or many, of these cottier tenants, should make him some compensation for the total deprivation of the only available means of living by industry which the country affords. All humane and prudent landlords do this at present voluntarily; buying out, as it is styled, those of their cottier tenantry whom they find it desirable to remove; giving them a sum of some few pounds a head, or paying their passage to America. What is desirable then is that all landlords should be required by law to do that which a sense of justice and of humanity prompts in these cases.

In truth, it is a matter of doubt among legal authorities who have examined the subject, whether the "clearance system" is not at present illegal, and even criminal in the eye of the law. An able argument in support of the affirmative appeared in the *Dublin Review* for November, 1842, from the pen of Mr. McMahon; and it has never been answered. This is certain—that 'Depopulation'—the pulling-down of houses and clearing of lands from the small occupying farmers, for the purpose of their consolidation—was by the common law of this country for several centuries considered an offence even amounting to an unclergyable felony—that many statutes were passed expressly to restrain the practice—that Sir Edward Coke names it as one of those "offences against the public weal which the King cannot pardon"—that the Judges on proceeding to their circuits were repeatedly enjoined to make inquiry into and punish such

practices—and that in numerous instances the parties guilty of them, though of note and consideration, were punished by heavy fine and imprisonment, and required to build the houses they had pulled down, and restore the farms that had been set with them.

Such was the spirit of the ancient law of England, under which her NOBLE YEOMANRY were fostered and protected in their industrial occupations, and the due culture of her soil secured for the employment and maintenance of her population. And though the enforcement of these laws has been in late times disused, and the commercial principle, that every one “do as he will with his own,” been extended without challenge to the owner of land, yet it still remains doubtful whether wholesale “Depopulation,” such as is practised frequently in Ireland, be not even now an offence at law. And this may with certainty be averred, that carried as it occasionally is now, to the extent of the razing of entire villages, the clearing of whole parishes, one, two, three, or four hundred families, consisting of thousands of souls, being swept at once from the face of their native land, deprived of their ordinary and only means of existence, of shelter, and of the homes which they or their forefathers reared, and for generations, perhaps, inhabited—and driven off to wander as vagrants on the bare highway—and this at the bidding of one individual, who may fancy his estate will be benefited by the substitution of some hundred bullocks for as many thousand human beings—it is a practice which the law ought not to tolerate—an overstraining of the rights of property which cannot be defended on any principle of justice, or regard to the



well-being of the population as the great object of all law. As M. Sismondi justly says in reference to the great Sutherlandshire clearance :—

“ It was not for this end that territorial property has been established or was guaranteed by the laws. Society is shaken, when the rights of property are put in opposition to natural rights. An Earl (or other large landowner) has no more right to drive from their homes the inhabitants of his county, than a king to drive out the inhabitants of his kingdom. Let the great landlords of England (and of Ireland still more) beware ! The less numerous they are, the more dangerous it would be to put themselves in opposition to the national welfare, and to prefer their own fancied interests. If once they appear to believe they have no need of the people, the people may in their turn think that they have no need of them.”\*

It is absolutely necessary by some legislative interference to check these harsh and wholesale clearances, of which some landlords in Ireland are now from time to time guilty ; and which will multiply, from the daily increasing inducement to effect them, arising from the increasing poverty of the cottiers, unless a check be imposed to them. For this purpose the least that could be done would be to require every landlord who evicted a tenant from land to compensate him for the loss of his livelihood by payment of a sum equal to, say, three or four years' rent of his occupation ; and it might also be very fitting to make such evicting landlord liable for any charges to which the electoral division may be subjected for the relief of such evicted tenant, or his family, within the next two or three years.†

\* Sismondi's Political Economy. Notes upon Landed Property.

† As one instance among many of such “Clearances,” as are here referred to, see that effected about Christmas last, near Belmullet, in County Mayo, on the property of J. Walsh, recorded by Mr. Tuke, in



To sum up what has been said as to the Legislation required for Ireland to improve the existing relation between Landlord and Tenant. It should include measures,

1. To secure to an outgoing tenant compensation in full for the value of the improvements which he has by his own capital or labour made to the farm, and duly registered in such form as may be prescribed in the Act; such compensation to be awarded to him by arbitrators after full inquiry and examination on the determination of his tenancy. Improvements made previous to the passing of the Act, to be registered within (say) two years, or to lose the title to compensation. Tenants evicted within that period to be entitled to prove their improvements by other evidence.

2. To encourage leases for long terms by reserving the power of distress for rent to such cases; and also by placing all local taxes on the landlord in every other.

3. To legalize the right to the sale of good-will or tenant-right of farms, whenever it can be proved to have prevailed as an admitted custom for a generation or more back.

4. To require some compensation for eviction, equal to

his interesting pamphlet, "A Visit to Connaught in 1847," and in the "Papers relating to the Relief of the Poor in Ireland," 5th Series, p. 91. In this case, one entire village, Mullaghroe, consisting of 102 families in 1845, was *razed*. There are not six houses remaining. In two neighbouring villages, 50 houses were levelled. All this in *mid winter*! 40 miles from the nearest workhouse! And no less than 140 *families* out of those thus dispossessed are now receiving relief from the Union, while the proprietor who evicted them has not paid the rates due from him, though sued at law for them!

three or four years' rent, to be made to cottier tenants, say holding under £10. value yearly, to be paid to them by the evicting landlord, after deducting any amount of rent due : and that he be made liable for a limited term, say of two years, to the cost of relief to the family evicted, if reduced to pauperism.

Those who may be startled by these suggestions, and consider them too stringent upon the landlords of Ireland, should reflect on the gigantic character of the evils they are proposed to remedy. They should remember that they fall far short of the remedy which for the cure of similar evils (but which had scarcely reached so formidable a character) have, within the last century, been adopted in almost every State of Europe ; where either complete "fixity of tenure," at the previous rents, or even the division of the soil in fee among the occupiers were established, and followed by results of the most beneficial character as respects the condition of the peasantry—that is, the bulk of the people, in those (like Ireland) agricultural countries.

As is observed by M. Sismondi,

"For a century past the legislation of continental Europe has been engaged in guaranteeing and ameliorating the condition of the feudatories, *strengthening the independence of the peasant, covering him with the buckler of prescription, changing his CUSTOMS into RIGHTS, sheltering him from the exactions of his lord, and by degrees raising his tenure to the rank of property.* The law has given to the Swiss peasant the guarantee of perpetuity : while the Scotch and Irish peasant have been left in a precarious condition. Compare the two countries, and judge of the two systems."

Let those who may look on the moderate proposals made above, as an invasion of 'the rights of property,'

recollect that the ‘*just rights of property*’—the only rights of the kind which the Legislature is bound to respect—are such alone as are not inconsistent with the welfare of the people and the prosperity of the country.

Let them reflect over the following passages from Mr. Mill’s recently published work—the truth and force of which it is impossible to gainsay :—

“When the ‘sacredness of property’ is talked of, it should always be borne in mind that this does not belong in the same degree to landed as to other property. NO MAN MADE THE LAND. It is the original inheritance of the whole people. Public reasons exist for its being appropriated. But the distinction is vast between property in land and in moveables which are the product of labour. The latter should be absolute, except where positive evil to society would result from it. But in the case of land, no exclusive right should be permitted to any individual which cannot be shewn to be productive of positive good.”

“The community has too much at stake in the proper cultivation of the land, and in the conditions annexed to the occupying of it, to be justified in leaving these things to the discretion of a class consisting of but a portion of the community, when they have shewn themselves unfit for THE TRUST.” “The only notion of improvement among the bulk of the owners of Irish estates consists in turning out the people to beg or starve. When landed property has placed itself on this footing, it ceases to be defensible, and the time has come for making some new arrangement of the matter.”\*

The monster grievance of Ireland, and the cause of its monster misery is, that industry is there denied any legal right to its reward ; and a system of land tenure maintained which locks up the vast resources of the soil, and prohibits a starving and unemployed, but industriously disposed population, from maintaining themselves by their labour on the land which Providence has amply

\* Mill’s Political Economy, II. 11, 56.

fitted for the purpose. Such a state of things is a national disgrace and sin; and, if permitted to continue, will doubtless, before long, bring down on those who may be guilty of protracting it, the retributive justice of Heaven, in the blind vengeance of a people infuriated by misery and oppression. I remain, Sir,

Your obedient servant,

G. P. S.

April 30, 1818.

## LETTER VI.

SIR,

I AM grateful to you for your friendly critique of Tuesday last. It suggests to me the necessity of gathering up into a brief summary the disjointed members of the argument contained in the several letters you have obligingly introduced into your columns, in order to shew their real consistency and common object.

My argument, then, is shortly this:—

The SOIL of Ireland, if duly developed by improved agriculture, is capable of employing and maintaining in comfort her entire population, and even some multiples of it.

Her PEOPLE are undeniably hard-working and frugal—willing enough to better their condition by applying their labour to that soil, *if only allowed to do so for their own benefit*—the one condition of all effective industry.



CAPITAL is not wanting, even *there*; but it takes wing to America, or seeks investment in Savings' Banks and the English funds, being denied the privilege of investment (with security for reaping its profit) in the home soil. Moreover, England has ample capital to spare to Ireland for the same purpose, but only *on the same condition*.

What, then, is the obstacle? Why are the people of Ireland starving in rags and idleness, upon lands which would repay their industry with ample food, clothing, and comforts?

The answer is, that the free use of the soil is denied to the people by unwise laws.

1. Laws which obstruct the landlord's free use of his own land.

2. Laws which discourage the industry of the tenant, by rendering him uncertain of being permitted to reap its fruits.

The remedy is, of course, to be found in the removal of these artificial restraints on agricultural improvement:—

1. By such changes in the law as will give greater freedom to the owner of land to deal with, use, or transfer it to his best advantage.

2. By such changes in the law of tenancy as will encourage the industry of the tenant, by giving him a right to the produce of his own improvements.

But you remark—and I quite agree with you—that the beneficial results of such alterations of the land-laws will be impeded by the “frightful circumstances” at present existing in Ireland, through the over-crowding of her labour-market. And to remove this temporary



impediment, you, as I understand, propose colonization in Canada or Australia. I, on the other hand, propose colonization of the Irish wastes—a process which I have adduced good evidence to shew would cost much less than the other, be more easily and rapidly conducted, more consonant to the feelings of the people, and productive of far greater national advantage, as augmenting the wealth and strength of Ireland itself, instead of transferring it to a colony.

But I beg to disclaim any proposal, such as you impute to me, that Government should ‘turn farmer for the sake of profit’—or adopt Louis Blanc’s system of superseding all private enterprise by public works—or repeat their own “gigantic blunder” of this time twelve-months.

The works that I propose would be chiefly confined to the *arterial drainage* of those vast tracts of wet but reclaimable land, which the “shackles” of all kinds, so often alluded to, have kept barren and unproductive; and such a *commencement* only of *reclamation* (*not cultivation*) by thorough draining, and coating in part with earthy matter convenient of access, as might be necessary to make the farms fit for location or sale, or expedient for the purpose of employing productively the able-bodied paupers of the union, who are now fed in demoralizing and wasteful idleness, in or out of the workhouses, to the number of many thousands—often within sight of the waste land on which they might be profitably employed.\*

\* The workhouse of Cahirciveen stands within the borders of an extensive bog, which, according to the report of Mr. Goode, one of Lord Clarendon’s Inspectors (Jan. 1848), is “a fine level tract, sloping down

The blunder of last year was two-fold ;—first, that the works were for the most part wholly useless and unproductive ; and consequently looked upon by the persons employed themselves as a mere roll-call :—secondly, the payment of “ pauper ” workmen on the footing of independent labourers, by day wages, or task wages, instead of by *rations*, just enough for their support, and no more, per head. The former system enabled single men to earn as much as would keep a large family, and thus caused them to flock in to get “ the Queen’s pay ” from all other works, deserting their private employers. The *ration*-pay system, coupled with the labour-test, would, on the contrary, drive all to depend on their own resources, who could by any efforts contrive to do so. All this has been elsewhere\* explained in detail, but your objection made it necessary for me to allude to it here.

As to the question of the possibility of reclaiming Irish bog or mountain land with profit, I have shewn that it has been practically proved in numerous instances, in Ireland as well as in Lancashire. Even your friend, the “ Anglo-Irishman,” admits that large profits may be made by turning bog into pasture. Mr. Griffith’s estimate of the waste land reclaimable for pasture is double in extent that which he considers reclaimable for tillage. Either are quite enough for my purpose.

Moreover, I propose to enlist in the work of reclamation that most potent stimulant to industry—the zeal and energy of men applying their labour to *their own*

to the sea, and capable of growing any thing, if drained and attended to, and offering great facilities of irrigation.” Yet that workhouse is filled with idle paupers !

\* “ Irish Relief Measures.”—Ridgway.

property. It is to a class of peasant proprietors—the very class which Ireland so much wants—that I wish to see entrusted the complete improvement and cultivation of the waste lands, not to the Government; which need only appropriate and divide them, executing those primary extensive operations which are beyond the grasp of individuals.

The interference of Government in this matter might be still further limited, by entrusting the necessary powers for the execution of the works to the boards of guardians, or some county committees of public works, composed of a selection from the magistracy or grand juries.

Nor is the scheme intended as a permanent system, but only as a temporary expedient, an auxiliary to the poor-law;\* an operation for relieving, with as little

\* The object is not to dispose of a *permanent*, but of a *temporary* surplus of labour. I believe with Commissary-General Hewitson—no light authority—that Ireland requires for the full development of her agricultural capacity, all, and more than all, the labour of her existing population. He says—“The transition from potatoes to grain requires increased tillage in the proportion of 3 to 1. This requires a corresponding increase of labour; and wages so paid (as well as in permanent improvements), are an *investment of money bringing in a certain and a large profit*.

“The *pasture system* of Ireland *must be abandoned*, or modified. It is no longer possible to confine such vast extents of fertile soil to grass and hay, when the same space, judiciously cultivated, will suffice for *three times the number of cattle, will employ TEN times the number of labourers*, and afford besides a vast increase of sustenance to man.

“It is useless to talk of emigration, *when so much extra labour is indispensable to supply the extra food*.

“Let that labour be first applied, and it will be seen whether there is any surplus population. If industrious habits be established, and the WASTE LANDS taken into cultivation, it is very doubtful whether

loss of time as possible, that congestion of the labour-market which all know to be the immediate cause of danger to life and property—by occasioning the misery, turbulence and discontent of the Irish masses; during the continuance of which it is vain to hope that capital and labour will spontaneously set to work to develop the dormant resources of the country. An impulse from without is wanting—the *vis major extrinseca* of the Government, acting for the common interest, in the common peril of the state, to break up the ruinous circle of evils continually generating one another, so often referred to. The poor-law stimulus has not effected the spontaneous absorption of the surplus of labour by the landholders. Landlords as well as their tenantry are too much hampered by their embarrassments,—which the poor-law, as at present administered, has, of course, increased—to afford the required amount of employment.

The removal of these embarrassments, by wise changes in the laws of land tenure and transfer, is indispensable, and when accomplished will act most powerfully, no doubt, in stimulating and facilitating private enterprise.

BUT TIME PRESSES. Instant action is needed to remove the spell that now seals up the productive and industrial powers of Ireland. It is, I believe, in the power of Government alone, with the sanction of the Legislature, there be any surplus population, or *even whether it would be equal to the demand*.

“Providence has given every requisite to Ireland, and nothing is needed but industry to apply it.” (Memorandum, 4th Jan. 1847, Commissariat Correspondence.)

THIS alone is needed, that industry should be *permitted* to apply itself to the development of the natural resources of Ireland, locked up by restrictive laws.



to do this by a measure which shall "set to work" (the old Elizabethan phrase, to which I am very partial) the now waste (but expensively maintained) pauper labour of the Irish Unions, on their waste, but profitably reclaimable lands.

The plan adopted, a few years since, by the guardians of the Chorlton Union, near Manchester, of employing their able-bodied paupers in reclaiming and cultivating waste bog, proves that *even in England*, and looking at it only in a *pecuniary* point of view, independently of the immense objects of a moral and political character involved in the experiment as regards Ireland, such land may be reclaimed and cultivated *without loss* by a population which would otherwise be a dead burthen on the community.

"Waste and worthless land has been there converted into valuable property worth *fifty* pounds an acre, and *unlimited employment* at the same time found for *any number of labourers*."

This is the Poor-law Inspector's statement : - -

"On the 12th of August last," he adds, "I accompanied the guardians on their annual visit, and it was truly gratifying to observe that the labour of the able bodied applicants for relief in *this well conducted union had been turned to a profitable account* ; that the land then before us, which, two years since, was a bog not worth 1s. an acre, was covered with crops of wheat, potatoes, and turnips, *not to be surpassed in the best cultivated county in England*."--(*Report*, 1842.)

Now I ask with confidence, whether the experiment which was so successful in reclaiming this farm on Trafford Moss, by employment of the able-bodied paupers of the Chorlton Union, might not be as successfully, or still more successfully carried out in almost every union in Ireland—at least in those of the western counties, where



the greatest pressure of destitution is found, and likewise the greatest extent of waste land? The province of Connaught, which is overwhelmed with pauperism, contains two millions of acres of waste land. Galway and Mayo—counties which are declared to be incapable of maintaining their poor, and whose rates are even now largely supplemented by public money—contain a million and a half acres of waste land, of which nearly a million has been declared by Mr. Griffith to be reclaimable with profit!

This single act of the Government establishing a set of Home Colonies, so as to drain off a large proportion of the surplus population, now unwillingly idle, and demoralized by idleness, and at the same time create so many examples of active and skilful agricultural improvement under competent managers, by which the surrounding community may benefit,—will so far restore a healthy condition to the relation of the supply of labour to the demand, as to give fair play to the laws simultaneously enacted for the support of the poor, for the free circulation and use of landed property, and the equitable tenure of land, on the powers and operations of which our hopes of the permanent improvement of the country are to rest. Even if the reclamation of the wastes in this manner should not prove a profitable speculation, it cannot but be most useful to the country in these various ways, and also as affording *SOME produce* in return for the subsistence of the labourers employed on them, the cost of which must otherwise be a dead charge on the funds of the country.

It offers, moreover, a far better TEST of able-bodied destitution, in hard labour, than the demoralizing and

penal confinement in the workhouse which is now solely relied on, and which recent events, at Tralee,\* for example, prove to be of no value whatever.

Such is, in few words, the main object of the proposal here advanced. To those who, agreeing in the general argument as to the necessity of making *some* great national effort, for the removal of the surplus of labour, yet still maintain a preference for some shadowy and hitherto undeveloped scheme of colonization (they believing the surplus to be permanent, not temporary only), I would say, Let the decision between the two proposals rest with the parties themselves who are to be subjected to the process, and those who are to pay for its cost.

Produce and enact your scheme of Foreign Colonization; let that of Home Colonization be enacted by its side; both placed under the management of Government Commissions. Let the Union Boards or County Boards of Ireland be empowered to choose between the two, or to try both alternatives, if they please, for the purpose of relieving themselves of the pressure of their now redundant labour. Let them have power to call on either Commission to emigrate, or to employ on the Home Wastes, the able-bodied paupers now a burthen on the Poor-rates, charging the future rates of the Union with the cost, but at the same time crediting them with the profits of the undertaking, to the extent of a fair interest for the money.

I shall be quite content with the issue of such an arrangement. I feel confident that the local knowledge

\* Where, on the stoppage of the Savings' Bank, it was found that several of the inmates of the workhouse held deposits!

and obvious interest of those in whom the choice would rest, will lead them to invest their funds in the creation of farms on the waste, which will not only relieve them from their present embarrassment, but become a fertile source of future profit to the rate-payers of the district, enlarge its cultivable area and the value of its rateable property, and afford them the certain means of repaying the debt they would for the present incur.

Mr. Buchanan, the experienced Government Emigration Agent at Quebec, in his Report to the Earl of Elgin, of April, 1847, writes thus :—

“ Any plans undertaken by the Government for the removal to this province of the destitute classes of the population of the mother country, should, I conceive, include their establishment as settlers, and their support for a period of from twelve to fifteen months after their arrival, and *this cannot be accomplished for less than sixty pounds sterling, at the lowest estimate, for each family, consisting of a man, his wife, and three children.*”

And this is independent of the cost of conveyance to the colony and the place of settlement in the interior, which cannot, with outfit, be estimated at less than twenty pounds additional, making eighty pounds in all, as the expense of disposing of a very moderate sized family, by colonization.

Now the cost of purchasing and cutting out from the waste bog or mountain of a farm of fifteen acres, executing the main drains and approaches, and reclaiming, manuring, and sowing with oats and potatoes, say, an acre, or an acre and a half of the land, for the subsistence of the settler and his family for the first year, need not amount to more than half that sum. And from that time forward he may be considered independent and self-supporting. In a few years, he may be expected to have reclaimed by

his own labour, and the help of his family the remainder of his farm, and will have thereby added to the national wealth a permanent property worth at least ten times as much as the original outlay, and giving an annual produce, reckoning at only £6. per acre, of £90. a year in value. Out of this increased annual produce and permanent property, the settler will easily be able to redeem the sum originally expended in his location. And thenceforward he ranks as an independent freehold proprietor of a fifteen-acre farm, cultivated with the industry characteristic of farmers who own the land they occupy.

In this manner, without the cost of one farthing to the country, but on the contrary, to its great and signal gain, in wealth and strength, moral no less than pecuniary, would it, I believe, be possible to dispose of the whole of that accumulating surplus of unemployed labour, physical wretchedness, and political discontent, which is at present eating into the resources, impeding the improvement, and endangering the safety of Ireland—and not of Ireland only, but of the empire.

These views are supported by many of the most experienced practical improvers of Ireland, such as Captain Kennedy and Mr. Blacker---by many of her first public men, such as Mr. French and Mr. Fagan, the Members for the Counties of Roscommon and Wexford---by the ablest Political Economists who have made a study of the question, such as Mr. Mill and Mr. Thornton. The opposition they have hitherto met with has solely sprung from the blind desire of Irish landlords to retain a dominion over their barren acres, however profitless—and a lazy incredulity as to their profitable reclamation, or from the old fallacy of the absolute and rigid



*laissez-faire* system, or an ungenerous distrust of that industry and desire for independence which will be found to animate the Celt, no less than the Saxon, when the efficient motive is afforded him, in the certainty of enjoying the results of his toil.

But to be effectual, this and the other measures to which I have endeavoured to call attention *must not be delayed*. Time, indeed, presses. Already we may hear English senators and newspapers, English constituencies and public meetings, canvassing the Repeal of the Union as a possible measure—promising some change, at all events, in the present intolerable state of things; from which Britain suffers scarcely less than Ireland herself. Does any one believe that the English *people* will ever consent to go to war with the Irish *people* to prevent a repeal of that union, from which, as matters are now going on, they suffer almost as much as the Irish themselves? Stop the invading tide of Irish pauperism and Irish labour, by opening up the means of employment and maintenance which the Irish soil is capable of affording to her children, and Britain will be lightened of the heaviest load she has to bear. Her own soils are improvable likewise in the highest degree. Her laws of land-tenure require alteration, likewise, though in a less degree than those of the sister island, to give greater scope, facilities, and encouragement to agricultural improvement. Her produce likewise may thus be indefinitely increased, and the condition of her working classes of all ranks infinitely ameliorated. But the first and indispensable step to her own improvement must be the drying up of that festering ulcer at her side, the contagious misery of unhappy and mismanaged Ireland.



How this may be done I have endeavoured to shew. Those, however, who are responsible for the government of Ireland, admitting that the natural resources of the island are fully capable of supporting its population in comfort, throw the blame of the present state of the country on the people themselves. "Legislation, it is said, can do nothing for them; they must help themselves."

The obvious and conclusive reply of the Irish people to this is, "If you renounce the hope of improving our position by your legislation, *let us legislate for ourselves!*"

In truth, however, this is but the old cry of the Egyptian bond-masters—"Ye are idle, ye are idle," to those required "to make bricks without straw."

That the Irish people, the bulk of the peasantry, are not willingly idle—that they are ready enough to work, *if only they can get work*—and to exert their utmost industry on the land they occupy, *if only permitted to do so for their own benefit, not that of another*—the condition of all industry by virtue of the laws of human nature—is too notorious to be denied. It is shameful to insinuate the contrary, in the face of the patient, energetic enduring industry and thrift exhibited by these same Irish everywhere in England, the United States, Canada, even in Ireland itself, when a fair chance is afforded them *of bettering their condition by such exertions*.\* That they have not that chance allowed them

\* The following extract, from the Fifteenth Report of the Commissioners of the Board of Works, 1847, shows how willing the Irish poor, even of the lowest class, are *to learn to labour* :—

"The drainage works, under Mr. Labouchere's Letter, continue to proceed in a very satisfactory manner, and the labourers employed have in every locality become much more expert in the performance of their

at home—especially that *the* LAND of Ireland, the sole source of all wealth, the main material and instrument of industry, is locked up from their free use by legal restraints of various and complicated character. This is owing to bad legislation, and is therefore removable by good legislation.

You meet the agonizing cries of hundreds of thousands of labourers in Ireland who are vainly imploring work (in the touching words reported by Mr. Tuke, “won’t ye give us work, your honour, or we’ll die ;”)—with the reproach, “Ye are idle! find work for yourselves.” May they not rebuke you with the answer, “Give us but the broad wastes that lie in a state of primæval barrenness around—and which your law denies us the use of—and we *will* find work for ourselves, and never trouble you more!”

To the hundreds of thousands of farmers in Ireland who occupy land, but can scarcely be said to cultivate it, and who as a consequence are poor and discontented, you say, “Set yourselves to work in improving, draining, fertilizing, and better cropping your farms.” Their tasks.” (They were at that time about 21,000 in number.) “In several districts, the labourers employed had never seen a deep drain, narrow both at top and bottom, and conceiving it to be impossible to sink it, objected to cut such drains at a moderate price. But after a little experience, the men *in every district* became not only reconciled to the work, but took pleasure in it, *vying with each other in the accuracy and perfection of the execution*. The reports of our Inspectors give details on this subject which *prove how soon our people become reconciled to novel kinds of work*, when they are well and steadily directed, and *find they can with reasonable exertions earn living wages*. And it should be observed we have had to instruct not only ordinary farm labourers, but *fishermen*, unaccustomed to spade labour, and the *inhabitants of towns*, who are proverbial for *idleness and hatred of exertion*.”

answer was given to Mr. Goode, one of Lord Clarendon's Husbandry Inspectors :—

“The people,” he writes from Swinford, January, 1848, “are in a most desponding state: they always meet me with the argument that there is no use in their working, *for they are likely to be turned out in the spring, and have their houses pulled down over them.*”\*

Is it not mockery to preach industry and energetic exertion to men who have but a six month's tenure of their farms. Nay, less than that—for as tenants in Ireland are always purposely left in arrear, and that the recent famine has necessarily deprived nearly all of a stock to meet an unexpected demand—almost any tenant may be *ejected for non-payment of rent*, at a few days notice, and by the most summary proceeding, which will not cost the landlord forty shillings! Is it not cruel mockery to taunt men, placed *by your law* in such a position, with want of industry, and an indisposition to lay out labour and capital in increasing the productiveness of the land they hold on such a tenure? And is it worthy of honourable statesmen, while you maintain the laws which keep them in that precarious position, to tell them legislation can do them no good?

No wonder the cry bids fair to become universal—perhaps even irresistible—among them, “*LET US LEGISLATE THEN FOR OURSELVES.*”

The Imperial Parliament, in fact, virtually abdicates its functions when it declares it has no remedy for the state of things which exists in Ireland.

\* Some Irish landlords, it is well known, actually print a notice to *quit* at the back of the receipts they give for rent, so as to have their tenants under constant *notice to leave*!

The Government which cannot govern Ireland otherwise than it is now governed—namely, by military force, and by excluding from juries, on the trial of *avowed rebels*, all who are of the religion of five-sixths of the people—ought to renounce the fruitless and irritating endeavour.\*

I remain, Sir, your obedient servant,

G. P. S.

London, May 3, 1848.

\* Just as this last page is going to press, I have had put into my hands the interesting work of Mr. de Quesne, of Jersey, (Ireland and the Channel Islands) which I strongly recommend to the perusal of all who take an interest in the great Land question of Ireland. The author shews, from actual experience, the immense advantages derived to both owners and occupiers of land in the Channel Islands, and to the State at large, from the system of Land Tenure which has for centuries prevailed there; namely, “Fixity of Tenure at a Corn Rent.” It is owing to this system alone that these islands, naturally unfertile, are cultivated throughout like a garden—rents secure, though *four times* as high as in Ireland—the tenants and population generally prosperous and happy, *well-fed, well-clad, and well-housed*, prudent, and *slow to multiply*, loyal, peaceable and contented; all the males enrolled in the militia and armed by the Government; while as we know in Ireland the people are actually deprived of their arms, lest they should be turned against the Government!

If it were determined to apply this system to Ireland, as the most effectual and simplest form of Tenant Right, a law would require to be passed giving the occupier of any farm the right to demand a perpetual lease of his holding at the existing rent—turned perhaps into a Corn-rent. The landlord might have reserved to him a right of pre-emption in case of sale. Revolutionary as such a proposal would no doubt be called, it could not but give a vast increase of security, and consequently of value, to Irish landed property. Its fifteen or sixteen millions of annual rental would not only be more certain of payment, and accompanied with less expense of agency, no responsibility, no troublesome *duties*, and no dread of being ruined by poor-rates or pauper population,—but, moreover, would be worth to sell in the market probably some thirty-five, instead of twenty-five years purchase—in other words, would be increased in value by a third or more.

Even such a “Settlement of the Landlord and Tenant Question” as this—which events, and the long delay of less radical measures, seem to be really bringing us to—would not, however, supersede the necessity of some immediate measure for productively employing the surplus pauper and labouring population, such as that for reclamation of the wastes here advocated.









THE

# RIGHTS OF INDUSTRY.

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PART III.

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ON THE BEST FORM OF RELIEF

TO THE

ABLE-BODIED POOR.

BY

G. POULETT SCROPE, M.P., F.R.S.

ETC.

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LONDON:

JAMES RIDGWAY, PICCADILLY.

1848.



## ON THE BEST

### FORM OF RELIEF TO THE ABLE-BODIED.

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THAT the able-bodied poor, being really destitute, should be equally entitled to relief with the infirm, from whatever public provision is established in any country for the support of its poor, is a matter of such obvious justice and expediency, that one can only wonder it has ever been called in question.

The Poor-law of England has, from its origin, recognised this claim of the able-bodied poor. So also that which the Legislature has recently enacted for Ireland; and although the contrary rule has been generally supposed to prevail in Scotland, a late decision of the Supreme Court has affirmed the title to relief of the able-bodied destitute poor to be as valid under the Scotch Poor-law likewise as that of any other class.

In truth, if an able-bodied man, really destitute, is to be refused all relief, it is evident he must either beg, steal, or starve. The law prohibits, and ought to prevent, either of the two first alternatives. The last it is surely not desirable to permit in a wealthy, civilized, and Christian land. But, indeed, starvation would soon reduce an able-bodied pauper to that condition of infirmity, which would entitle him to relief. So that in the event of his abstaining from mendicancy or crime, he must, if unrelieved, almost immediately become a burden on

the rate, and in all probability a more costly and permanent one than if he had been assisted by temporary relief from the first.

Although the expediency of affording relief to the able-bodied poor is thus placed beyond all question or cavil; the form, however, in which, and the conditions upon which relief should be given to this class of the destitute, have not hitherto been determined in a satisfactory manner.

This subject, indeed, has been as yet very imperfectly treated, notwithstanding the numberless debates and discussions which have of late years taken place both in Parliament and the press, upon the operation and principles of a Poor-law.

The question has been rather evaded than fairly met and grappled with. Its difficulties were felt, but not its importance. Few could anticipate that on its right or wrong understanding might depend the tranquillity of states, the fate of dynasties, the security of civilization itself;—that the want of correct principles among public authorities, upon this seemingly common parish Poor-law question, would occasion the waste of millions of money and thousands of lives in Ireland; and in France, a sanguinary civil war in the heart of her capital. Such, however, has proved to be the fact. And if further evils of the same frightful kind are to be prevented, whether in this or in other countries, it is absolutely necessary that this question should be determined, and its true solution published, proclaimed, and placed beyond all doubt; so that the authorities of every state, on the one hand, may, in a period of pressure—such as was recently brought about in Ireland by her famine, in France



by her revolution--avoid a repetition of the errors we have seen committed in these instances ; and that the poor and working classes themselves, on the other hand, may neither be encouraged to expect more than can be safely done for them, nor be driven to despair and revolt by the fear that all aid is to be denied them in the extremity of destitution.

A more important question, indeed, or one more urgently pressing for immediate determination, it is impossible to propose.

It is one upon which this country has, fortunately for her, the benefit of a long course of experience. The Poor-law of Elizabeth laid down the simple rule that the able-bodied poor be "SET TO WORK" at the cost and on the account of their parishes. And so long as it was adhered to--that is, for nearly two centuries--until the mischievous practice was introduced of parish allowances in aid of the wages earned by labourers working for *private* employers--it was completely successful. Indeed, it would seem to be obvious to common sense, that if an able-bodied pauper is to be relieved by the public, he should be required to give all that he has to give, his labour namely, in return for such relief ; first, as an indemnification to the public, so far as it will go, for the cost of his relief ; and secondly, in order to *test* his willingness to work if he can obtain employment.

But, it may be asked, in what does this system of employing the able-bodied poor differ from that of the advocates of the (so-called) ' Organization of Labour ' in France, who put forward, as one of the first duties of the State, the providing every one who requires it, with

‘work and wages;’ and who, in attempting to realize the promise thus held out to the thousands of workmen whom the recent revolution had deprived of their ordinary employment, occasioned the late frightful insurrection in the streets of Paris !

The difference may at first sight seem slight ; but it is in reality great, and in its effect all important. It is the difference between an *unconditional* and a *conditional* engagement ; between an unlimited offer by the State, of employment to all who ask it, *upon the terms of an ordinary bargain between the employer and the employed*, and a police regulation for the suppression of mendicancy, vagrancy, and theft, by *requiring those to work* who (in the words of the act of Elizabeth) “have no ordinary and daily means of living,” and thereby become applicants for that public charity which the law has instituted for the purpose of depriving them of all excuse for crime.

When, as was the case last year in Ireland, and still more recently in France, the State holds out the invitation to all who want work, to come to her and she will purchase their labour on the terms of a just and liberal employer, paying good wages (whether for task or day-work, matters not much)—the ordinary labour-market is wholly deranged. Workmen in multitudes are tempted to leave their habitual employers, or to relax their exertions to get work from private employers and to retain it, by the hope that the State will pay better, or require less work in return, than their masters. And, indeed, this is, under such circumstances, to a great extent the fact, especially in periods of depression of trade, when private employers on the one hand have great difficulty in con-

tinuing to pay a liberal rate of wages to their workmen ; and the State, on the other, is exposed to such a rush of candidates for employment, as must make it impossible to provide adequate superintendence whereby idleness and imposition may be prevented.

It is scarcely necessary to refer, in proof of this, to the recent examples of Ireland, France, and Prussia, in each of which multitudinous bands of men have been paid liberally “for standing idle all day, and joining in riots at night,” or at best for some useless labour, ill-done, and over requited ; a system which could not fail to entail a ruinous waste of the resources of the State, the demoralization of the labouring classes, and a paralysis of all ordinary industry.

It is a very different proceeding from this for the authorities of the State to say to the working class, “Such of you as are really destitute, and in danger of perishing from want, shall not have the excuse of necessity for either wandering as ‘sturdy beggars’ about the country, or the commission of crime. Come to us, and we will relieve your necessities with a bare maintenance, in the form of food-rations ; and, if you are in need of them, shelter and clothing. But, in requital of this aid, you must do all such work as your strength will permit, that we may put you upon, and submit to any other *tests* of the reality of your destitution, which we may find it necessary to apply. A close scrutiny will be made of the circumstances of each individual case. If there is reason to doubt that any one of you have failed to exert himself to the utmost to obtain independent employment, and earn an independent livelihood, he will be relieved only in a workhouse. If there is reason to *believe* that

any one is imposing upon us, or if he refuse or neglect to do the work we set him upon, he will be committed, on proof of such offence, to hard labour in a gaol."

Such are the 'conditions' upon which relief by employment is afforded to the destitute able-bodied poor by the ancient law, and the existing practice of England. They are very different it is obvious, and likely to be attended with very different results, from the unconditional and unlimited 'right to labour,' which the embryo Constitution of France proposed that the State should guarantee to all.

And yet these terms are such as no honest and really industrious man can object to as unjust, or no sensible man assert to be unnecessarily severe.

The object in view of the State, is the prevention of the extremity of destitution, and the evils which society must otherwise endure from licensed vagrancy and mendicancy and insecurity of life and property. That object is effectually fulfilled by relief afforded to the able-bodied on the above conditions. And if such a system is administered with discretion and judgment, there will be nothing harsh in its character or action, but on the contrary, it will be felt by those whom it succours, and the classes whose means of livelihood are precarious, as a benefit and a blessing. Neither will there be any risk of disturbing the operation of the independent labour market. Applications for relief on such terms can only come, whether in ordinary or extraordinary seasons, from such labourers as are really and *bonâ fide* anxious to work, but unable by any efforts to obtain it on terms which will provide a bare maintenance of the humblest character for themselves and



those who are dependent on them. The whole class of single men are at once deterred from applying for employment by conditions which only offer *ration pay*, and require hard work in return. So also are all those married men who have small families to maintain. The only parties likely to apply at any time, are men with families so large that they are unable to maintain them upon the wages which they are offered by private employers of labour; and as the men of this class are for the most part of steady character and industrious habits, there is every reason to believe that few of them will apply for relief until driven to it by real and unavoidable necessity, and by circumstances beyond their own control and for which they are not responsible.

This then is an offer which the State may safely make without fear of bringing upon its shoulders the multitudes of idle and disorderly applicants, which under a different system have been found to create such confusion, waste, and ruin in the recent instances of Ireland, France, and Prussia.\*

But since under the best possible system, however

\* It is said that the workmen in the "Ateliers Nationaux" at Paris, received many of them 5 fr. per day to do nothing. (but plot insurrection); those of Berlin are now, or were very recently, paid from 1s 10d to 2s 6d per day on the same easy terms. And many single men on the Irish Relief works last year, it appears from the reports of the Inspectors, earned by task work 2s 6d and 3s per day. There being at that time no gratuitous relief given to the old and sick, or to women and children, it was necessary to pay such a rate of wages as would enable an elderly man with a large family to maintain all who depended on him; and as provisions were dear, this necessitated such a general rate of wages on the public works as were never heard of before in Ireland, such as private employers could not afford, and naturally invited the general rush to obtain 'the Queen's pay' which at length overwhelmed the system and rendered its termination imperative.



admirably administered, there will be always, even in ordinary periods a certain number, and occasionally under extraordinary circumstances a very great pressure of able-bodied applicants for relief, it becomes a most important question what should be the nature of the work to be undertaken for their employment?

Upon this point there exists much difference of opinion; some persons,—and it is feared that the opinion is prevalent among those who exercise authority in this country upon Poor Law matters—seem to think that the sole object in view should be to make the work as severe and repulsive as possible, without the least regard to its utility or productiveness.\* For this end stone-breaking is almost exclusively employed in our Poor-law establishments, both in England and Ireland, and tons upon tons of granite or limestone are broken which are not wanted, and therefore worth little or nothing. So also in Paris and in Prussia, ditches were dug and then filled again, and in Ireland last year, millions were spent on useless road-works, while the neighbouring bogs were left undrained and the wastes unreclaimed.

I believe this to be a most pernicious error; and on two distinct grounds.

First, because the cost of the maintenance of the able-bodied paupers, however levied, is an abstraction from the national capital, which would otherwise be productively expended, and which ought to be made to reproduce itself, if that be possible; at all events, whatever can be got back is so much saved to the rate-payers and the public.

There is a very common prejudice against the employ-

\* See the First Annual Report of the Commissioners of Irish Poor-laws, par. 30.

ment of paupers (and the same applies to criminals in gaols or hulks), in the production of any saleable commodity, founded on the vulgar fallacy, (which, however, men of superior minds have countenanced) that such produce, by competing in the market with that of independent labour, lowers the price of, and lessens the demand for the latter. The mistake is the same as that of the Protectionists, who decry the importation of foreign manufactures, as depriving native labour of employment. It is forgotten in both cases, that the amount of employment for native labour depends on the demand for its produce; that if we purchase goods from the foreigner, he must purchase an equivalent quantity from us; and that the sale of the produce of the labour of paupers or prisoners, leaves in the pockets of the purchasing public an equivalent which would be otherwise levied as a tax for their unproductive maintenance, but which, being so left, is certain to be expended, in some shape or other, whether as capital or revenue, in exchange for the produce of independent labour. In neither case is the aggregate or general *demand for native or independent labour* in the slightest degree lessened, but the contrary—although no doubt some particular branches of industry may *appear* to be undersold, and those who pursue them injured, by the competition of the foreigner or pauper in their peculiar trades.\*

\* In France, where Protectionist ideas still prevail, it is not surprising to find this twin-fallacy equally acted upon. The productive labour of the prisoners in all the gaols of the kingdom has been stopped since the Revolution of February. But the increased tax that must be raised for their unproductive maintenance cannot but diminish the demand for free labour by the full amount of the sum for

Secondly, it is unnecessarily offensive to the feelings of an honest and industrious workman, to be employed upon something which he and all know to be useless to any one, and only adopted as a test. It is demoralizing and destructive of the spirit of industry in such a man so to employ him. He feels it as an indignity, and it is one. If compelled to it, he will endeavour to shirk and neglect such work, although he would labour willingly and cheerfully at any occupation which he knew to be useful or productive of benefit.

Nor is this a slight consideration, though it may seem so at first sight. In dealing with men, the *moral instinct* cannot be safely disregarded—above all, when dealing with those who have forfeited none of the respect due to honest men struggling with unmerited misfortune, and whose moral sense it is desirable, in the interest of society, to preserve uncontaminated.

In compelling labour from *criminals*, it may be of comparatively little moment whether it be useful or useless, productive or unproductive. It is imposed as a *penal* task. But if it be wise, (as who can doubt?) to distinguish your treatment of poverty from that of crime, respect the feelings of the well-disposed pauper, and refrain from enforcing from him useless labour, which he can only look upon as a penal task, since its *only* avowed

which the articles produced by the prisoners formerly sold. The free labourers must, consequently, be disappointed in their expectation of thereby increasing the demand of the public for their services. Meantime an additional evil has shewn itself. The prisoners are rendered miserable and discontented at being kept absolutely idle, and require a far larger military force to keep them in order than when they were occupied. And, of course, when the term of their imprisonment expires they will have acquired a habit of idleness instead of industry.

object, in this case, is to *test* his *presumed* imposture. Allow him the consolation, while toiling under his heavy burden, of believing that he is doing in return some service—that he is repaying, so far as he is able, the relief you are affording to him.\*

\* The Commissioners of Irish Poor-laws, in their first Annual Report, recently laid before Parliament, take credit to themselves for having *resisted* very general appeals to them from Boards of Guardians, to permit “that where it was necessary to relieve able-bodied persons out of the workhouse, their labour should be directed to some *productive* mode of employment, in order to benefit and sustain the public fund from which their maintenance is derived ; and that such a system would be preferable to the plan of stone-breaking and other like *unproductive* means of employment.” (p. 11. par. 29.)

Now in prohibiting the employment of persons receiving relief in the cultivation of land occupied by private individuals, or on any other work for the benefit of private individuals, the Commissioners were undoubtedly right. That would be only the old Roundsman system of English parishes previous to 1834, one of the worst abuses of the old system of relief. But they are wrong, I believe, and to a serious extent, in preferring unproductive labour to any productive work executed *for the benefit of the public*—the rate-payers at large—which would, if not profitable, be remunerative to some extent, and afford a set-off against the dead-weight of the cost of maintenance of the poor. None of their reasoning touches upon this point. They only say they “have proceeded not on the principle of extracting profit from the labour of the poor, but on the opposite principle of giving employment on the least attractive and least satisfactory terms compatible with due relief.” But these principles are not opposed to each other. They are quite capable of being combined. Work may be useful and productive, without being made attractive to those who can get other employment. And the Commissioners themselves have taken the right step to make relief-works unattractive, by attaching the strict condition noticed above of ration-pay only for a full day's work of ten hours, under strict superintendence.



On these grounds it is desirable that the labour of able-bodied paupers employed at the cost of the public, by the public authorities, should be made as *productive* as it can be consistently with its retention of the character of a test of the bonâ-fide willingness to labour.

Now there is no harder labour, nor any more conveniently applicable as such a test for the great majority of able-bodied paupers, than *spade* labour. And it is equally a fact that no other kind of work may be made in general so productive and remunerative.

As a test of able-bodied pauper industry, it has been often most usefully and successfully applied in this country. Indeed it is well-known that its success in dispauperising the several parishes in which it was adopted previous to the Poor-law amendment,\* was such that the Commissioners of Inquiry in their Report which preceded the introduction of the Amendment act, hesitate as to which was proved to be the most efficient test, out-door labour of this kind, or relief in the confinement of the workhouse. And they only express a preference for the latter, on the ground that it is more generally and conveniently applicable, and more easily superintended.† This, however, if entirely true, would by no means counterbalance the serious disadvantages of the system of exclusive workhouse relief to the able-bodied; namely, its extreme resemblance to the usual (now almost the only) penalty attaching to crime, strict confinement—its injury to the health, owing to over-crowding and the

\* Especially the parishes of Cookham, Hatfield, Welwyn, St. Mary, Nottingham, White Waltham, Swallowfield, Downham, &c.

† Report, 1834, 'Remedial Measures,' p. 262, 8vo. Edition.



risk of generation of fever—and to the morals, especially of the young, from the intermixture of the best and the worst characters—the separation of families and the breaking up of all accustomed ties of home and neighbourhood, and habits of ordinary industry—the difficulty of seeking independent employment while confined in the union-house. These are serious drawbacks on the advantages of the workhouse form of relief to the able-bodied; which many consider to have been far too exclusively employed both in England and Ireland. The disclosures of the Andover and St. Pancras workhouses in this country, and the numerous deaths by famine submitted to in Ireland in preference to accepting relief in the workhouse, are unquestionable confirmations of this opinion.\* On the other hand, the value of a workhouse, as a *test*, has been much invalidated by recent investigations on the state of the Tralee Savings Bank, in which it appeared that several inmates of the workhouse of that union held considerable deposits.

The out-door labour test was admitted by the Commissioners of Inquiry to be most serviceable as “supplementary to a workhouse.” And as such, it has been constantly recommended and indeed ordered by the Poor-law Commissioners on occasions of any local pressure of able-bodied pauperism. The only change I would suggest

\* The Commissioners of Irish Poor-laws, in their first Annual Report, recently laid before Parliament, state, “If there has been anything unsatisfactory in the operation of the workhouse as a condition of relief, it is that in localities where destitution has undoubtedly prevailed, the unwillingness of some poor persons to avail themselves of this mode of relief has been so great that *they have sacrificed their own lives, or the lives of their children*, by postponing acceptance too long, or by refusing such relief altogether.” (par. 31.)

in their practice would be, that the workhouse be made supplementary to the out-door labour test, instead of the reverse. In other words, that the rule and ordinary mode of relief to the able-bodied poor, whose destitution cannot be questioned, against whom no suspicion exists of imposture or idleness, whom no fault of their own, but casualties, the general depression of trade, or other circumstances of the times, have deprived of the means of livelihood, should be by requiring from them out-door labour, in return for allowance of necessaries only, (food, and, in lengthened cases, a small sum of money for clothes and lodging); reserving the workhouse for the doubtful and exceptional cases, where a reasonable suspicion exists in the minds of the Guardians, of imposition, or idleness, or some other good ground for the distinction.

It remains to consider the kind of out-door labour which should be adopted for this purpose.

1. The first and most obvious is the maintenance and improvement of the public highways.

This is, in fact, at present, the mode of employment adopted for the purpose by, probably without exception, all the parishes of England.

The aged, crippled, and inferior workmen who cannot obtain independent employment, and who must otherwise be relieved as paupers, are habitually put to work, by the Road Surveyor, on the ordinary repair of the highways; all extraordinary work or improvements being reserved for the winter, when the farmers require fewer labourers, or for times when work is slack from any other cause, and a pressure of able-bodied paupers

on the parish funds is apprehended. This is both a convenient and a reasonable practice, although it has been not unfrequently objected to. And it is to be hoped, that in any reform which may be carried out in the system of highway management, care will be taken to maintain that identity of local interest between the payers of poor-rate and of highway-rate, and those relations between the managers of the poor and of the highways, which is necessary to secure the use of these universal and convenient public works, as a means of employing such labourers as are, or would be but for this resource, driven to become applicants for public relief.

I believe this object would be more effectually attained than at present, if the highways of every Poor-law Union were placed under a Board elected in the same manner as the Poor-law Guardians, holding their sittings in the same central place, and occasionally communicating with it—the funds being taken from the same common rate. This would be no very great alteration, but in practice a very useful improvement of the present system.

At any period of extraordinary pressure of able-bodied pauperism on the poor-rates, it would not be difficult for the Highway Surveyor, or Highway Board of each Union so circumstanced, to suggest some new lines or variations of road, or the cutting down some hills, and raising embankments across hollows, or other extraordinary improvements, which would be of advantage to the district, and admit of the application of the out-door labour-test to the applicants for relief.

Such works would, in practice, be *reserved* for such occasions,—according to the principle recommended recently by M. Thiers to meet the similar difficulties of

France, and which, in fact, has been to a certain extent the practice of this country for many years past—although less regularly and methodically than is desirable.

A Union Board of Highways—or, as it might be more fitly termed, of PUBLIC WORKS—would probably be prepared before-hand against the occurrence of occasional pressure on the Poor-rate of able-bodied destitution, with a list—perhaps even with detailed surveys and estimates—of such works of this description as it would be most advisable to undertake. There would be none of the hurry, waste, and recklessness which not unfrequently characterise works of the kind when undertaken on the spur of the moment, at a crisis of extraordinary danger from the distress of multitudes, and, perhaps, under a dread of consequent disturbance to the public peace.

The Turnpike roads of each Union might very properly be consolidated, and placed under the control of the same Board, and Surveyor.

In extreme cases the Board might be allowed to execute works of a higher character than mere roads; for example, bridges, piers, public buildings, such as town-halls, gaols, lunatic asylums—or the earthwork of railways, the lowering of the bed, or embankment of rivers, the drainage of marshes.

In some parts of England, and many more of Ireland and Scotland—especially in the poorer districts, where pauperism most abounds, and private employment is scantiest—there exist tracts of WASTE LAND, the reclamation of which, as a public work for the profit of the public, would afford a most valuable resource for the productive employment of able-bodied paupers in extraordinary periods of pressure.



I have dwelt so fully on this resource elsewhere, and especially as respects Ireland, that I need not enlarge upon it here, further than to remark that there is ample reason for believing that by its adoption the *entire cost* of the maintenance of the able-bodied who are thrown at such periods on the public charity might be *saved*, that is, its ultimate replacement secured. Among its other advantages are these—that it is the kind of labour already noticed as best fitted for a *test* of industry, namely, spade labour, or digging and wheeling chiefly—that it can be applied at any season of the year, and on any scale, large or small, which circumstances may require—that it would increase the food-producing area of the country, and create a permanent addition to the national wealth—that it would introduce models of the practical improvement of land, and of improved husbandry, among portions of the population which are most backward in that respect—that it would give the means of locating upon moderate-sized farms, under an encouraging system of tenure, numbers of industrious men of small capital, who are now driven to carry their industry and capital abroad, by the difficulty of finding safe means of investing them at home.

It would not be necessary that the works of drainage or reclamation undertaken in this way by a Public Board should be in the immediate vicinity of the usual residence of the paupers employed upon it. They might be lodged in temporary huts erected for the purpose, in the same way as the labourers on railway earthworks are often now accommodated; the portion of their earnings necessary for the maintenance of their families, who



would still continue at home, being retained by the proper authorities, and applied to that purpose.

This is no new proposal or untried plan, for it is well known that the populous parish of Chorlton-on-Medlock, a few years since, reclaimed a distant bog in Lancashire in this manner, by the labour of their paupers, and turned it into a very productive and profitable farm, of which the Poor-law Inspector reported, in 1843,

“They were thereby enabled to offer regular, organized, and constant work to all able bodied applicants for relief—thus deterring the idle and worthless from making application.”

“The plan has been continued for several years with perfect success, such that it can be justly called a remunerative undertaking.”

“On the 12th of August I accompanied the Guardians on their annual visit, and it was truly gratifying to observe that the labour of the able-bodied applicants for relief in this well conducted union *had been turned to profitable account*; that the land then before us, which two years since was a bog not worth 1s. an acre, was covered with crops of wheat, potatoes, and turnips, not to be surpassed in the best managed farms in the best cultivated county in England.”

“The experiment of the Chorlton union in employing their able-bodied paupers in cultivating waste land, proves that even in a pecuniary point of view such lands may be reclaimed and cultivated without loss by a population which would otherwise be a dead burden on the community.”

“Y<sup>et</sup> <sup>we</sup> can convert waste and worthless land into valuable

property worth £50. per acre, and obtain at the same time unlimited employment for any number of labourers."

The only difficulty in the way of the general adoption of so admirable a resource, is the indisposition of the proprietors or occupiers interested in the waste lands to part with them for the purpose. But the Legislature, which is in the daily practice of compelling the owners and occupiers of the most valuable and valued land, of gardens, parks, and even houses, to give them up on receiving a fair equivalent, to *private* railway or canal companies, can hardly hesitate to allow *public* authorities to purchase compulsorily from their owners, on similar terms, such tracts of almost valueless bog, mountain, heathery sands, or rocky wilderness, as may be wanted for those all-important public purposes to which I am referring.

I cannot refrain from expressing the opinion that the authorities of France and other of the continental states, especially Prussia, where many considerable tracts of land still exist in a state of primæval barrenness, would find in their reclamation as a public work, by far the most available, and the most remunerative resource for the employment of that multitude of labourers whom recent events have reduced to destitution, and for whom it is absolutely necessary to provide in some way. To put them into uniforms and arm them as soldiers is both ruinous and dangerous. Employed in peaceful industry on the conquest of barren wastes, and the fertilization of sandy heaths, they would add to instead of eating into the national wealth, and eventually many of them might be located on the far as thus created, the rest gradually absorbed by the demand

for labour which the tranquillization of the country must occasion.

And this is as true of Ireland as of France—Ireland, where even now we are maintaining by forced levies on property, on unproductive works, or in demoralizing idleness, myriads of wretched half-starved houseless paupers, and feeding and clothing in blue and scarlet, equally at the public expense, thousands of other able-bodied men solely to repress the natural dissatisfaction of the former multitudes at such treatment.

Should, however, the resources I have now pointed out for the productive employment on the public account of such able-bodied poor men as the pressure of want, whether temporary and local, or extraordinary and general, may throw as a necessary burden on the public for maintenance, at any time prove inadequate for that purpose, (which I do not believe could be the case were a proper organization established) there would still remain the certain resource of COLONIZATION in other lands.

And this likewise is scarcely less applicable to the case of France than of the United Kingdom. For although not already, like ourselves, in possession of colonies favourable for this purpose, who will say that tracts of fertile land could not be obtained by her, whether in Africa or America, by a little effort, upon which millions of her redundant population—if there be any real redundancy—might be readily located, to follow that industry which is happiest in its pursuit, least liable to reverses, and most productive in the long run of enduring permanent wealth—the tillage of the soil?

I repeat, while not one-hundredth part of the surface of this habitable globe is cultivated, it can only be through the absence of due forethought and wise regulations that any wealthy and civilized community can suffer seriously for any length of time from the competition of an imperfectly employed, though industriously inclined population.

But until the home soils are duly reclaimed, and cultivated with all the perfection of modern and scientific agriculture, any costly scheme of National Colonization at the cost of the public would manifestly be premature.

First develop the resources of the National territory—which has certainly not yet been effectually done in Britain, Ireland, France, or any other large European country, and then it will be time enough to seek in other lands new fields for the investment of capital and industry.

That development is notoriously impeded in this country, and still more strikingly so in Ireland, by artificial restraints on the free transfer and use of land. Until these restraints are removed,—until land is permitted to be sold and bought as readily and inexpensively as any other commodity; and a reasonable system of land-tenure established, which may encourage the occupiers of the soil to improve its productiveness by giving them security for reaping the produce of their improvements, none can presume to assert that our native land will not feed and employ its entire population.

But whenever a temporary surplus of labour does exhibit itself, (and there must probably always be times and circumstances in which such a phenomenon will

be liable to occur), recent events prove that every state should be prepared with an organized machinery for meeting the emergency.

I have endeavoured to shew that this ought to be done by a methodized system of local employment on public works for the able-bodied, rendered destitute by want of work—employment of a productive character, though not undertaken with a view to profit—employment given, not by the purchase of labour with wages proportioned to the value of the work done, but on strict Relief-principles, by requiring labour in return for relief afforded, according to the bare necessities of each individual case.

I believe this principle to be just and reasonable in itself—to be approved by the lengthened experience of England under her Elizabethan Poor-law—and to steer clear equally of the danger of an unlimited offer of work and wages to all who ask it on the one hand, as of the penal harshness and wasteful extravagance of exclusive and unproductive workhouse-relief on the other. It is applicable to all countries as well as our own, and I submit it with deference as the true solution of a problem, than which none is at the present moment more deeply interesting to all civilized societies.

THE END.







SOME

NOTES OF A TOUR

IN

ENGLAND, SCOTLAND, & IRELAND,

MADE WITH A VIEW TO THE INQUIRY,

WHETHER OUR LABOURING POPULATION

BE REALLY REDUNDANT?

IN

LETTERS TO THE EDITOR OF THE "MORNING CHRONICLE."

BY

G. POULETT SCROPE, ESQ., M.P.

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LONDON:

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## SOME NOTES OF A TOUR.

&c. &c.

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### LETTER I.

*Objects of Inquiry—Titchfield Parish Farm—Sheffield Union  
Waste-land Reclamation by Pauper labour.*

SIR,—I address you in the hope, through your obliging aid, of awakening, to a question of pressing importance, the attention of that large class of thoughtful and active politicians who have shewn themselves open to conviction upon so many points of public concern, even though party ties and personal prejudices were opposed to any change of opinion.

It is possible you may not agree, as has happened before, in the view I may take of the subject; but, if so, it will be open to you to put your own interpretation upon the facts which, rather than arguments, will compose the staple matter of my communication.

You are aware, from former correspondence, that although looking upon emigration, no less than yourself, as an effective and easily available resource whenever a population is really in excess, I have long endeavoured to combat the prevailing notion that this is positively and hopelessly the case at present in these islands, and urged our practical philanthropists to direct their chief efforts rather to the development of our home resources for the comfortable maintenance of our increasing population, than to the exportation of our labour and capital to fertilize and enrich other lands.

You will remember likewise that I have strenuously contended for the utilization of the labour of the able-bodied poor, who, from whatever circumstances, are left unabsorbed by private employers, and consequently a burden upon the community.

You will, therefore, be at no loss to understand the motives which induced me to avail myself of the earliest leisure afforded by the close of the Parliamentary campaign to visit such localities in the three kingdoms as promised, from the character of the practical operations now or recently carried on there, to throw a light upon these interesting questions.

I commenced with an examination of the parish-farm of



Titchfield, in Hampshire, of which an interesting account had been communicated to me. I found it well worthy of a visit, and full of instruction, derivable both from what has been done there and what has been omitted.

It has now been in successful operation for twelve years. The hands employed on it are not positively paupers ; but they are sent there to prevent their becoming a charge upon the rates ; and the farm is managed, not by the vestry or guardians, but by a committee of subscribers, consisting, of course, of the principal rate-payers of the parish. The result, however, is, that able-bodied pauperism has long been wholly prevented in the parish of Titchfield, without any outlay beyond the use of the capital originally subscribed for the purpose of setting the undertaking on foot (a sum of £342. in all), which capital, with interest from the date of its subscription, is far more than covered by the value of the crops and stock now on the ground, and the improved value of the land itself, which was reclaimed from a most sterile-looking common. The cost of immediate superintendence (being the wages of the admirable bailiff, Mr. Bowyer) is included in the account.

At the time of my visit, the twenty-four acres composing the farm were covered with crops of potatoes, Swede turnips, mangel, cabbage, carrot, parsnip, &c., far superior to those on the best land in the vicinity, although the adjoining common, of several hundred acres, from which it had been taken, and to which, I was assured, it was not originally superior in the general character of its soil, is still almost wholly barren, covered with stunted heather, and affording but scant herbage to a few half-starved ponies, cows, and donkeys. The improvement is evidently owing to deep spade trenching ; the ground being dug to a depth of two feet, and the stones and coarse gravel being thrown to the bottom of the trench, the finer portions compose a soil of peaty sand some eighteen inches in depth, which struck me as very much resembling that of parts of Belgium, which have been reclaimed in the same manner. No corn is grown on the farm ; only root-crops, which are sold for the most part on the spot to hucksters. Numerous pigs are kept for the consumption of the waste vegetables, and to make manure. Bone dust is also occasionally purchased, and some sea-weed, hauled by a donkey from a distance of three or four miles, used as litter for the pigs.

On the whole, the farm is evidently of considerable utility as a means of affording productive and *undegrading* employment to several old men and boys (the permanent staff), who would otherwise be upon the parish-rates, and also occasionally to a few

surplus labourers at dull times of the year, when farmer's work is scarce ; but it is clearly not fitted to cope with any extraordinary pressure of able-bodied pauperism, should such occur. The means, however, are at hand in the yet unreclaimed waste adjoining. And it is impossible not to be struck, when upon the spot, with the conviction that, wherever such land exists in any neighbourhood within accessible limits, it would be easy, by extending the process of reclamation, or contracting it according to the demand for work, to meet any amount of able-bodied pauperism, large or small ; the reclaimed land being sold or leased after taking a crop or two from it, so as to avoid retaining any large extent in cultivation as a farm ; since that would require a constant fixed amount of labour, and fail to meet the conditions of the problem, which are, to find profitable employment for the ever-varying numbers of able-bodied labourers from time to time wanting work, and threatening to become, or actually becoming, a burden on the rates. Bowyer, the managing bailiff of the Titchfield farm, assured me that if he had leave to break up the moory and gravelly waste around, he could engage to employ any number of labourers at any time, and make the work amply repay its cost ; which indeed the experiment he conducts sufficiently proves to be practicable.

This consideration naturally led me to direct my next visit to the interesting waste-land reclamation, which has been carried on, through the last twelve months, by the Board of Guardians of the Sheffield Union, for the productive employment of their able-bodied paupers. I had the advantage of inspecting this work in the company of Mr. Dixon, the Chairman of the Sheffield Board, and Mr. Watkinson, their clerk, the gentleman by whose advice the experiment was undertaken, and to whose active and intelligent superintendence is owing the success which appears to attend it. Mr. Watkinson was likewise the originator of the similar undertaking of the Union of Chorlton-on-Medlock, a township of Manchester, which, so long as it was carried on upon his system, was equally successful. The system is precisely that which I have noticed as suggesting itself from contemplation of the Titchfield farm, namely, the reclamation of waste land by draining, trenching, quarrying, removal of stones, &c., taking one or more crops from it immediately, and then disposing of the improved land at its increased value, so as to avoid the embarrassing occupation, for a permanence, of a large farm which would require a constant supply of labour.

With this view a tract of elevated moor-land, lying about six miles from Sheffield, on the posting-road to Manchester, has been taken on lease from the Duke of Norfolk. Fifty acres, to

which quantity the Poor-Law limits the powers of any Board to occupy land, is the extent of the tract now in hand. But it is an understanding that whenever they shall have reclaimed that portion they will be at liberty to sub-let or sell their interest in it, and undertake on the same terms another adjoining tract of the same size ; and they have prudently erected their building for the accommodation of their working gang upon a two-acre piece of which they have secured a ninety-nine years' lease, in such a central position as to be equally convenient to a second and third fifty-acre tract as to the first. The necessity of this arrangement might, however, be obviated by framing the plan of this building in such a manner as to make it easily convertible into a farmhouse and offices for the future farm which the reclaimed tract will compose.

Here, as at Titchfield, the portion already reclaimed, by deep draining, trenching, &c. (as yet but about eight acres in extent), I found covered with surprisingly abundant crops, telling strongly of the intrinsic value of the soil, which had been newly created out of a stony, boggy, grouse-moor, worth but three or four shillings per acre at the utmost as rough pasture. It could scarcely be valued now at less than 30s, and, from its proximity to Sheffield, would probably let for more. I do not think it necessary to describe the details of the various operations executed on the farm by the Union paupers, which comprise the quarrying and dressing stone for sale in Sheffield (the return carts bringing back manure from the workhouse.) The workmen go home to their families on Saturday afternoon, returning to the works on Monday. The cost of their rations is deducted from their wages, which are in fact not wages, but the mere pauper allowance, determined by the wants of each, not by the value of the work done by him. Thus, a single man is paid at the rate of seven pence per day ; a married man ten pence, two pence being added for each child up to four. In short, the payment is as nearly as possible what they would necessarily receive on out-door relief, or would cost in the workhouse. The only novelty is the productive and profitable character of the work which is required from them in return for this relief.

Being, of course, extremely hard work, and so poorly paid, it is found to act as an admirable *test* of destitution ; a far better test, by Mr. Watkinson's report, for the class of paupers to whom it is applied than the workhouse. No idler or impostor will work ten hours a day, digging four-foot drains in wet soil, or deep-trenching stony land, for his bare food ; and the number of able-bodied applicants for relief was effectually thinned by the adoption of this out-door labour test. From the nature of the work it can

be stopped at any time without loss, or carried on to any extent to suit the demand occasioned by any conceivable pressure of able-bodied pauperism. Mr. Watkinson truly said that he could employ 500 men almost as readily as 50; or, on the other hand, reduce that number to five, without loss or prejudice. The present building is calculated to hold 100; but, in case of necessity, sheds, or turf houses, such as are often occupied by the gangs employed on the earth-works of railways, might be run up at little cost, to lodge almost any additional numbers. And indeed, as I have already observed, buildings constructed so as to serve the purpose of farm-steadings for the future purposes of the reclaimed farms, might be raised in a durable manner without any outlay beyond what would be recoverable in the end.

Here, then, I found the precise system which I have long and repeatedly recommended for adoption in the Western Unions of Ireland, actually established and seemingly in successful operation in an English manufacturing Union, where neither equal facilities nor advantages could be expected. I could not but ask myself the question, why what is legitimate and permissible in England should be forbidden and looked upon as contrary to principle in Ireland? And, if such a system of self-supporting relief administration—affording *productive* employment on the ubiquitous wastes of the west and south of Ireland to her myriad hordes of able-bodied paupers who have been fed in idleness, or while breaking useless stones, or spoiling roads, at the cost of the tax or rate-payers of either island for the last three years—had been in operation there from the time when I proposed it to Parliament in 1846—how many millions of money, now lost and gone, would have been recoverable in the improved value of many thousand acres of land—how much additional food that unhappy country would now be producing—how many lives would have been saved which the want of funds, consequent on their wasteful and improvident expenditure, consigned to destruction—how many miserable beings now utterly demoralized by merely eleemosynary relief, would have been taught skilled labour and habits of industry, sufficient to ensure them the means of future self-support?

But I must not prematurely enter upon a branch of my subject which I shall have to touch upon more at length when I describe what I saw in the west of Ireland. Meantime, with your permission, I shall in another communication beg you to accompany me to the Highlands of Scotland, where much is now going on tending to elucidate the questions under our consideration.

I remain for the present, Sir, your very obedient servant,

G. P. S.



## LETTER II.

*Contrast of the Extraneous Relief Systems of Ireland and the Highlands of Scotland—the latter described—Labour-test on public works—Co-operative system—Employment of Crofters on their own farms—the Gairloch system—Security of Tenure required.*

SIR,—It is well known that the distress occasioned by the potato failure of the last three years has been, in proportion to the population, nearly as severe in the Highlands and islands of Scotland as in the west and south of Ireland. The same set of predisposing circumstances existed there; the same peculiarities of the Celtic organization in the inhabitants; the same dependence of a numerous littoral population upon the potato plot and the fishing coble; the same irresponsibility and consequent carelessness of the landed proprietor for the welfare or even the existence of the human beings who, on these precarious means of support, pullulated upon his estate—except as a kind of stock for the production of *Rent*. If destitution has not carried its ravages to so frightful an extent there as in the parallel districts of Ireland, it would seem to be owing to the more judicious character of the measures taken for its alleviation, rather than to any difference in the disease itself, or the constitution of the patient. I was, on this account desirous of examining, on the spot, the working of these measures, with a view to their comparison with the Irish Relief system.

It is, I presume, generally known, that the Poor-law of Scotland differs from that of Ireland in two marked particulars—namely, first that there are no workhouses, all relief being consequently out-door relief; secondly, that the able-bodied have no right to relief. The deficiency of the law in this last respect might have been expected, under the circumstances of the last three years, to cause the absolute destruction of this class of the destitute in the worst situated localities; and this would have occurred, no doubt, but for the extraneous support afforded them here, as in Ireland, by the Government and the British Association. The mode in which this support was afforded, differed, however, considerably from that pursued in the case of the distressed districts of Ireland. In the latter, it has been, since 1847, given exclusively in aid of the poor-rate, and administered by the Poor-law officials, according to the stringent rules laid down by



the Irish Poor-law Commission, which shut up the able-bodied in workhouses, so far as it was possible to find room for them; and, whether in or out of these houses, fed them in idleness, or employed them only on work purposely chosen as unproductive—the mere penal task of breaking useless heaps of stone. In the Highlands, on the contrary, the relief being all out-door, a *labour test* has been constantly insisted on, and the work selected the most generally useful to the locality that could be devised. The immediate object of preserving life, to which the system was confined in Ireland, without regard to any other consideration, was here combined with efforts for the improvement of the country and of the population, with the view of obtaining some return for the outlay, and bringing about a condition of future self-support. It has thus happened that, while in Ireland many thousands of able-bodied men have been wasting their lives in confinement, acquiring habits of idleness only and reliance on the daily dole, in the Highlands, the same class of destitute poor have been kept to out-door labour of a reproductive character, which, while experience has fully proved it to operate as a test of destitution not only equal but superior to that of workhouse confinement, was, in the words of its chief manager, (Capt. Elliott), “calculated to excite the industry of the people, to afford some security against the future consequences of the potato failure, and to extend the reproductive advantages of the fund, after it has been itself exhausted.”

It is impossible to look at the list given in the reports of the Central Board (Edinburgh section), of the numerous useful works—new roads, paths, boat-piers, embankments, main drains, &c.—which were executed in the year 1848 alone, in the distressed Highland districts, under the “labour-test” system, without being convinced that this promise has been to a great extent fulfilled. A still further improvement has been carried out in several extensive districts, by stimulating and obtaining the “co-operation” of the proprietors in the maintenance of the people on their estates. This has been effected by granting a sum towards defraying the expense of some such useful public work as a new road, on the condition that all the people should be employed by the proprietor on that or other improvements, or otherwise supported. In some cases—as in the noble example set by the Duke of Sutherland—the proprietor dispensed with extraneous aid, and undertook himself alone the performance of this great duty. In others a niggardly and bargain-driving spirit was evinced, or a complete refusal to co-operate at all with the Relief Board, upon whose shoulders the whole responsibility was thrown of maintaining their poor tenantry.

My object being to examine some of those instances in which the productive and co-operative systems of relief had been carried on, I directed my visit to the district of Wester Ross, in which the two parishes of Lochbroom and Gairloch, constituting in extent and population the larger half, prior to the commencement of the relief proceedings, were, though inhabited by 10,000 souls, absolutely shut off from the rest of the world, possessing no means of communication with the more advanced state of society in the east country. I found several lines of road on the eve of completion, through the operation of the system above described, by which the two natural outlets of the west coast, Poolewe and Ullapool, will be connected with each other, and with the trunk line of road which leads through Strath Grave to Dingwall. It is evident how largely this remote district must be benefitted, and the self-supporting industry of its inhabitants facilitated, by their obtaining access to the eastern markets. In addition to which, they will have the traffic through them of the trade of the Isle of Lewis, lying immediately opposite, and which the spirited improvements carried on by its proprietor, Mr. Matheson, bid fair to render of considerable importance. And these large benefits will have been secured at no greater cost to the auxiliary fund than would have been indispensable, according to the Irish plan, for the mere purpose of keeping the destitute poor barely alive—the system having called forth the expenditure of an equal amount of capital by the proprietors, and the people having been fully employed at fair wages, in a manner fitted to teach them industrial skill and habits. Indeed, more than this has been done—for I found numbers of Isle of Skye men employed on these works; shewing that their benefits extend themselves into adjoining districts.

But there are improvements also of another kind going on in one of the large estates of Wester Ross, that of Gairloch, of which I was equally desirous to be eye-witness. It was well known that the desire to consolidate farms and to clear estates of the small occupiers and cottiers is as prevalent among Highland lairds as among Irish landlords. Nay, it even began earlier, and shewed itself on a larger scale among the former, for example, in the desolating clearances of the Sutherland and Glengarry estates before the close of the last century. Since that time the annihilation of the kelp trade operated, through the maritime Highlands, just as that of the forty shilling freehold tenure in Ireland, to make population be considered a drag, instead of, as before, a source of income. The potato failure added intensity to the feeling; and hence ejectments and house levelling are almost as frequent and extensive, at this moment, in parts of the High-

lands as in Clare or Galway. While I was in the vicinity I heard of between six and seven hundred notices of ejections served at once by Lord Macdonald, on his tenants in North Uist, involving a clearance of some 3000 souls. And the Scottish newspapers, like the Irish, are full of statements of similar acts, many of them already completed.

But while the general current of feeling among the Highland proprietors takes this lamentable and unjustifiable direction, for their relief from what they look upon as a surplus population, there are some who, led no less by humanity than, as I believe, an enlightened consideration of their true interests and duties, are endeavouring, by an improved distribution of their small tenantry (or crofters), and by instruction and assistance, to retain and enable them not merely to support themselves, but to improve greatly their own position and the value of the estate at the same time. In this beneficent and patriotic work the lead has been taken by Dr. Mackenzie, of Eileanach, the manager of the Gairloch estate, as uncle and guardian of its heir, Sir Kenneth Mackenzie. His system has been brought to public notice by the Scottish Patriotic Society, to whose reports, as well as to those of the Edinburgh section of the Highland Relief Board, I must refer for its details. The principle has been to abolish entirely the old run-rig, or common tenancy, with the clusters of wretched hovels which usually accompany it, and to locate every tenant on his separate lot, on which he is required, with assistance from the landlord, not exceeding £5. to each, to build a new house with proper offices. Draining, trenching, and a due rotation of crops, especially green crops, enriched by the saving of every particle of manure, both liquid and solid, and the stall feeding of cattle in the winter, are not only taught but insisted upon. The average area of each holding is not quite five acres, with, however, a run on the mountain for cattle. More than this would, in Dr. Mackenzie's estimation, be beyond the means of the occupier for that garden system of cultivation by the spade alone, and that minute attention to small matters which it is his object to produce. Not that the whole population of the estate is intended to live on these crofts alone; but that between the large farmer keeping horses, and the day labourer whom he employs, and whose occupation of land is confined to a mere garden allotment, there is, he believes, room for a class of spade-farmers, able to support themselves and their families by labour on their croft, and forming an intermediate step in the ladder of the rural society, through which even the labourer, by extraordinary industry and frugality, may hope at some time to rise to the top of the tree.

The result of the system, which was begun on the Gairloch estate early in 1846, and the benefits of which have been extended to nearly 500 crofter tenants, is, that a population of between 4000 and 5000 souls, whom the failure of the potato would under other circumstances have reduced to absolute destitution, have been enabled, with comparatively little extraneous aid, not merely to maintain themselves during these last four disastrous years, but greatly to improve their original positions, and many of them are now in a fair way of obtaining one of positive comfort and prosperity. The improved crops which I went over exhibited flourishing crops of turnips, carrots, mangel, beet, cabbage, and clover, as well as of potatoes and oats; and this in a district which never till the last few years grew anything beyond the two last. It was evident that the amount of produce raised very greatly exceeded what could have been grown under the old system, which, after all, more or less imperfectly supported the whole population. And I saw enough of reclaimable land around, of the same quality with much that had been recently reclaimed, and was now covered with crops, to be certain that Dr. Mackenzie did not exaggerate its capability, when he declared to me his conviction that it might be made to maintain twenty times its present population, over-crowded as that would be considered by the generality of Highland lairds.

The difficulties, however, with which Dr. Mackenzie has to contend are not slight. These consist not only in a wet and stormy climate, but still more in the almost incredible ignorance and prejudices of a people who have been hitherto cut off from all communication with the civilized world, without instruction in the means of advancement, whether by precept or example. This is now being afforded them in schools and model farms, and the opening of the new roads will shortly aid in the process. But there is one further impediment to rapid improvement which yet remains to be overcome—namely, the absence of that stimulus to active industry and enterprise which can only be afforded by the certainty of enjoying their full fruits. Dr. Mackenzie is fully aware of this. He knows that to develop the industry of the tenantry to the utmost, a *lease*, or some adequate security for being reimbursed in the value of their improvements, if removed, is absolutely indispensable. For, however much they may and do rely upon his honour and verbal assurance of indemnification or length of tenure, they know that life is uncertain—that the management must ultimately pass out of his hands—that it may so pass by some accident very speedily—they know that almost every other Highland proprietor wishes to remove, and that many are actually at work in removing, all their cotters and



crofters, to supply their place with sheep or grouse, as giving less trouble; and they fear that, in place of their present benevolent landlord, some "Pharaoh who knew not Joseph" may rise up in Gairloch, and drive them also from off the land, or at least compel them to pay increased or even an unreasonable rent for the improvements they have themselves effected. And yet, in the present state of the law, Dr. Mackenzie cannot venture to give them leases containing the necessary covenants to insure the continuance of improvement and good cultivation, since the delay and expense of suing a refractory tenant for breach of covenant would be intolerable. In fact, the law in this respect seems to be contrived as if on purpose to prevent the improvement of estates through leases given to tenants of small farms; and it is the opinion of Dr. Mackenzie and many competent judges, that for one acre that is now improved without a lease, one hundred would be improved with proper leases.

An alteration of the law of landlord and tenant seems, indeed, to be absolutely indispensable throughout the three kingdoms. Public attention is already much turned to the subject, and it is to be hoped that legislation upon it will not be longer postponed, as has now been the case for some years past, notwithstanding the abundance of "talk" it has had the benefit of, even in royal and ministerial speeches. All practical politicians and economists agree in opinion, that the land of the two islands is susceptible of almost infinite improvement—that such improvements would amply repay their cost, multiply largely the agricultural produce of the country, and afford abundant employment and a comfortable maintenance to its population, as well as additional wealth to the community. None deny that security of tenure is essential to attract the requisite amount of enterprise and capital to the soil. If this is the case with large farms, it is equally, or still more so, with the small. It was not merely in Gairloch, but on several other Highland estates, especially on some in the neighbourhood of Inverness, that I found industriously disposed crofters pining for that sense of security which would arm their muscles with double vigour for the reclamation of the wastes around them, and the superior cultivation of their holdings. "Of what use," they asked me, "the instruction now so liberally offered us, or the permission given to us to inclose the moor, when we know not how soon, upon the completion of our improvements, we shall be removed back still further up the mountain, in order that the acres we have so painfully won from the waste may be added, at an increased rent, to some large farm?"

I must not pursue this subject, and indeed my letter has already reached an unwarrantable length. But the circumstances of the



Scottish Highlands present at the present moment so close a parallel to those of parts of Ireland, that I wished to take a cursory view of them before I addressed myself to the examination of the latter.

I remain, Sir, your obedient servant,

G. P. S.

Castle Combe, Sept. 18, 1849.

### LETTER III.

*Further reproductive Relief given in the Highlands—Crofters employed on improvements of their holdings, on condition of Leases given by Proprietor—Government might have applied their extraneous aid in this manner in Ireland—Lancashire Moss-farm—Harvest in Ireland—Probable scramble for its possession.*

SIR,—In my last letter I described the system of relief for the able-bodied poor, which I saw carried on by the agents of the Edinburgh section of the British Association, in some districts of the Highlands. In other localities its details have been varied to suit particular circumstances; but, in all, the main principle was kept in view, namely, to endeavour not merely to preserve the lives of the people for the moment, but also as far as possible to create the means of their future self-support, by employing them in permanent improvements of the communications of the country, of the fishing stations, of the land-drainage, and other public works, and instructing them in some rude manufactures.

This principle is carried out, as I have said, either by *test labour*—that is, the employment of the poor on public works, paying them only in rations—or under the co-operative system, by their employment at fair wages on similar works, the proprietors defraying a fixed proportion, usually one-half, of the cost, the association the other portion. The latter mode was evidently preferable where the co-operation of the landowners could be secured. But in some districts this was found impossible, the landlords wanting either the means or the will; and in others there were few or no public works of sufficient utility requiring execution. Under these circumstances, by the advice of Captain Elliott, their able and energetic agent, the Board adopted another form of relief works of a still more immediately productive character; namely, the employment of the destitute crofters *on the permanent improvement of their own crofts*, by test

work : that is to say, allowing them to earn only a bare pauper's maintenance, but with the prospect before them of reaping a further profit from their labour in the increased produce of their holdings. To this the objection may be started, that the landlord might, by ejecting his tenants, or raising their rents, appropriate to himself the value of the improvements created by their labour and the outlay of the funds of the Board. To obviate this, it was required of the landowner whose tenants were thus assisted, that he should grant them leases of their holdings, at the existing rents, for terms of from eight to fifteen years—a plan involving the great experiment, and important boon to the crofters, of security of tenure, to which I have already alluded as a primary desideratum. In Skye this has been acted on over the whole of Lord Macdonald's extensive and populous estates; and in Sutherland, upon those of James Matheson, Esq. The ardour with which the usually lazy Highlanders set to work under this system, in draining and trenching their own holdings and reclaiming new land, stimulated by the certainty of being permitted to reap the fruits of their industry, is vividly described in Captain Elliott's reports.\*

The ultimate results of this and the other varieties of the relief system pursued through the Highlands, time alone can demonstrate. But there seems every reason to believe that the anticipation expressed by Captain Elliott is not over-sanguine, that the destitution with which the Board had to cope—though greater this year than in any preceding one—will have been relieved effectually, without any demoralization; on the contrary, accompanied by an improvement in the industrial habits and social condition of the recipients; that the expenditure will have been “spun into a reproductive return to the people next year”—leaving them lands improved in fertility and value, access to markets and to the uncountable treasures of the ocean, besides a great auxiliary to their support in the knitting and other home-manufactures taught to the females.

I trust that you will not consider me to have travelled out of my prescribed path in thus briefly sketching the reproductive relief system that has been carried on in the Highlands, and which, on several points, I witnessed in seemingly successful operation. It contrasts forcibly with the opposite system, of which I shall have to describe the working and effect in parts of the west and south of Ireland. Let it not be imagined, however, that the difference is in any degree owing to the difference in the Poor-laws of the two countries. The relief administered in the

\* Second Report for 1849 of the Edinburgh Section of the Central Board, pp. 154-5-6.

parts of Ireland to which I allude was derived, not from Poor-Rate, but from the auxiliary funds of the Government or the British Association, fully to the same extent as in the Highlands. There was, therefore, no legal necessity for the adoption of a different principle. It was in the power of the Government to apply to the distressed Unions of Ireland, while supporting their poor by Treasury grants, the same system of reproductive relief for the able-bodied which has been acted upon by the Central Board in the Highlands. This must be clearly borne in mind, or the elements of the important problem before us will be imperfectly comprehended.

In proceeding from Scotland to Ireland I took the opportunity of inspecting some of the reclaimed moss lands of Lancashire, which I have had occasion to refer to when advocating the reclamation of similar tracts in Ireland by some of that unemployed labour which is now so wastefully maintained in idleness at the public expense.

I saw large areas of pure peat, of great thickness, bearing crops of such abundance as could not but repay almost any amount of outlay on their reclamation. But I need not report on this head my own imperfect observations; for in the paper on "Lancashire Farming" in the last number of the *Royal Agricultural Journal* will be found detailed and authentic statements both of the mode of reclamation successfully employed in these instances, and of the large profits that have attended it. To these I refer all who are still sceptical on this subject, only quoting the following passage, to shew how peculiarly appropriate this particular kind of work would have been to meet the special exigency of the last four years in Ireland, and indeed Scotland likewise—"The moss land is found to produce the best potatoes of any known; and whilst in other soils the failure of this crop has been a total or partial loss to the cultivator, *the moss-farmer is reaping an abundant harvest*. On the customary Lancashire acre, and at the present prices, he can easily clear a sum of £40. or more." And such land, the report goes on to say, lets readily for this purpose at £2. or even £3. per statute acre.

Quitting Dublin for the west coast of Ireland, as I rolled along the line of the Great Southern and Western Railway, through the rich plains of the Queen's County, Tipperary, and Limerick, bright with the golden harvest which was just then courting the sickle, I could not help pondering on the questions, "Whom will this abundant crop benefit?—Into whose garners will it be ultimately gathered?—Will it, however abundant, suffice to meet the numerous competing claims upon it? First, the year's rent due to the landlord, with an accumulated arrear, perhaps, of a year

or two back into the bargain—a rent calculated on the supposition that the farmer could live himself and support his labourers out of the potato, and which the destruction of that crop has consequently made it impossible for him of late years to pay. Next, the Poor Rate, probably reaching to some three or four shillings in the pound of the value of the farm previous to the potato rot—and perhaps some arrears of this likewise. Then the county cess; and last, but not less indispensable than the rest, the claim of the farmer himself to the means of living and cultivating his land for the next twelve months, of supplying the necessities of himself and his family, and of replacing the annual consumption of his stock of capital, his implements, seed, cattle, &c.”

I could not avoid coming to the conclusion that the crop of this season, however abundant, would not cover all these claims on it, and that this calculation being as likely to suggest itself to the different claimants as to myself, there would be sure to ensue, before the harvest were well reaped, a desperate struggle among them for its appropriation, each trying to be first in the field for the purpose; while the farmer himself (who, having ploughed or dug the land, sown and weeded the crop, might, without any great crime, consider *his* claim the first to be settled) would probably resort to every art and effort for the purpose of retaining some of it at least for his own use.

What I then anticipated as unavoidable has, in fact, very generally occurred; and before I left Ireland I witnessed the commencement of this frightful scramble, which is still going on; with what result it is difficult to predict, further than great waste and loss to all parties, much ill-blood and violence, perhaps bloodshed, the peace of the country probably disturbed, and the difficulties of its social condition materially augmented. The transfer of much of the land of the south and west to new proprietors is generally looked to as offering the only hope of improvement. But what capitalist will purchase land in a district where crops are cut down at night by bands of armed men, and carried clear off, to avoid the payment of rent?

It may be said, all this is the unhappy but unavoidable result of the visitation which has for so many years afflicted the island. No Government or Legislature could interfere with existing contracts, or adjust rents to the altered circumstances of the times. Perhaps not. But surely some alleviation of the intolerable pressure on the unfortunate landholder might have been legitimately conceded. For example, where his rent equalled, or exceeded, the Poor-law valuation of his holding made before the potato rot, he might have been allowed to deduct, during these *famine* years, the entire Poor-rate from his rent, instead



of the half only. And the county cess might have been also put (as it always ought to be) on the same footing. These concessions to the impoverished tenantry would have been no greater innovations than the new Poor-law itself. And they would have been felt sensibly as a mitigation of the calamity which is overwhelming and driving so many to despair and to desperate courses.

It may be said that rents will adjust themselves to the altered circumstances. Landlords, rather than see their tenants go off to America, and throw up their lands, will lower their rents, and excuse a portion of the arrears. And, no doubt, this is taking place in some instances, and will take place in more. But where the landlord is himself pressed by creditors, or in needy circumstances, or niggardly and short-sighted, or where the estate is in the hands of creditors already, no concession of the kind will be made; the law takes its course; the bailiffs, the rate and the cess collectors, seize all they can find on the farm, and the occupier is turned out a beggar on the highway, unless he steals a march on these legal harpies, and makes off with his crop and stock, in the view of seeking a land where it is possible to live. And as estates in the south and west are very generally in the condition above described, none can wonder at the equally prevalent disposition of the tenantry on them to escape the impending destruction by any means, lawful or unlawful, and to carry off what fragments of their property they can save from the wreck.

Let it be remarked, too, that the landlords who are pressing their tenants for the last farthing of the rent contracted in far other times (not even allowing them the *rate-in-aid*), are themselves crying out that the poor-rate valuation (usually much lower than this same rent) is, under the altered circumstances of the last four years, fifty per cent above the present value of the land. And on this very account they are, at this moment, loudly demanding a reduction in the poor-rate. But do we find them allowing a deduction of fifty per cent in the rents due to them, for these last four years?—or are they not rather seizing their tenants' crops for the last penny of the full rent due on their books, and ejecting the poor wretches, naked and houseless, after they have stripped them of everything for its non-payment?

Can we wonder—when this is going on through the length and breadth of nearly one-half the island—that the “Irish difficulty” is still, in spite of the abundant harvest, as far from its solution as ever?

I remain, Sir, your obedient servant,

G. P. S.



## LETTER IV.

*Defective Agriculture of Western Ireland—Arterial Drainage—Relief-Works of 1847—Limerick Workhouse—Out-door Labour-test recommended for Able-bodied in preference to, or in connection with, Workhouse Relief—The Shannon—Limerick to Kilrush.*

SIR,—To an Englishman journeying westward across Ireland, it almost seems that he is retrograding from an age of science and civilisation to one of ignorance and barbarism. At first, there is little to remind him that he has left England. The large and generally well-cultivated fields, substantial farm-houses, and decently-dressed peasantry of Leinster, correspond little with the disparaging reports he has heard of Irish agriculture. Before long, however, he is struck by the prodigious forests of docks, thistles, rag-weed, and other noxious plants which half cover the rich soil in some places, almost over-topping the cattle that graze amongst them, and which seem to be a part of the regular rotation—the green crops of the country. The scarcity of turnips and of beans, and the predominance of oats among the cereal crops, are also remarkable; and as he progresses, the evident want of draining, the foulness of the land, and the inferior character of the houses, farm-buildings, and fences, with the deficiency of visible stock, exhibit unmistakeable signs of negligent husbandry. As he moves further west, all this gets still worse; and he knows not which to wonder at most, the exceeding natural fertility of the soil, or the shameful neglect with which it is treated. He cannot resist the impression that in the hands of Norfolk, or Lincolnshire, or Scotch farmers, it would be made to produce three times what it does at present.

Arterial drainage seems to be the first great requisite. Owing to the generally level character of the country, and the slight fall of the natural water-courses, it is almost everywhere a necessary preliminary to field-drainage; which, from the general moisture of the climate and the retentive character of the soil, is usually indispensable to improved cultivation. Here and there you pass over some of the main drains which have been opened by the Board of Works within the last year or two; and where these occur, thorough drainage seems to be generally in progress in their vicinity. It is impossible to avoid regretting that this was not the kind of public works selected generally for execution in 1846-7, in place of the comparatively useless road-works, many of which indeed were worse than useless, as spoiling good land

to no purpose. Miles of unfinished "Board of Works Roads" are occasionally seen, blocked up with a wall across either end!—a memorial of the unwise waste of immense funds, which, by a more judicious application, might have been made to open up the natural resources of the country, for the future maintenance of its population. By the side of these uncompleted and useless roads may often be seen tracts of waste, but most improvable, land—mountain or moss—which might have been made to produce at this moment a large annual amount of food for the support of the people—might have created a permanent field for their profitable employment, and an addition to the net wealth of the community, by the same outlay of public money which has only abstracted from cultivation a long narrow strip of land, and left it covered with a chaos of broken stone, quarries, and gravel pits. I looked with a melancholy feeling at these mementos of the mismanaged Relief Works of 1847—the more melancholy from my knowledge that they did not even answer their only professed object, that of keeping the poor alive; since, being wholly unfitted as a means of relief to the aged and infirm poor, females and orphan children (for whom, however, no other kind of support was provided during that terrible winter), thousands upon thousands of these, the most pitiable classes of the destitute poor, died upon them in the vain attempt to earn their maintenance by work of which they were wholly incapable, and from exposure, in their fruitless attempt, to the severities of a rigorous season. I almost expected to see the bones of these wretched victims whitening the surface of the useless heaps of stone in breaking which so many perished.

Having no long time to devote to my purposed visit, and feeling sure, from the generally uniform tenor of the reports of the official inspectors and other unprejudiced authorities, that a close examination of one or two of the distressed Unions of the South and West would afford a more correct view of the condition of that part of the island than a hasty scamper through the whole, I directed my steps to the counties of Limerick, Clare, and Galway, and especially to the Union of Kilrush, of unhappy notoriety for its wholesale evictions and the extreme wretchedness of its destitute population.

The workhouse at Limerick is often made mention of as one of the best conducted in Ireland—a sort of model to other Unions. I therefore inspected it with much interest, as affording a favourable example of this, the mode of relief exclusively in favour with so many persons, including statesmen of great influence—to which indeed relief is even now confined exclusively through a considerable area of Ireland, and entirely so as respects the able-bodied poor in a great majority of the Unions.

The Limerick workhouse, together with its auxiliary houses, is fitted to receive upwards of 5,800, or, in round numbers nearly 6,000 inmates.

The time of my visit being the commencement of the harvest, large reductions were making in the number of paupers relieved both in and out of the workhouse. A week or two previously they had stood at 5,600 in the house, and 12,000 on the out-door relief list. Of the first number, 3,145 were able-bodied adults! Out of these, probably near one-half were adult males, capable of working for their livelihood on active out-door labour. And how are they occupied in the workhouse? My visit happened to be made at a rather late hour in the afternoon. It was, however, only six o'clock of a fine summer's day; yet I found the men and grown lads already *getting to bed*, evidently for want of something to do, and to pass the time away, if possible, in sleep, till six o'clock the next morning! Had they been at hard work during the day? By no means.

It is, of course, impossible to find work within such a building for a thousand or fifteen hundred able-bodied men, besides as many females. Of late, following the example of the Kilkenny and some other Unions, endeavours have been made here to devise various means of employment for the inmates. A certain quantity of stone is broken in the yards. A few looms have been introduced, but they take up too much room; spinning is taught to the women and girls. Some men and women also are employed at sundry other manual trades, such as shoemaking, tailoring, &c.; and I heard a great deal of the success of a manufacture of cheap mops, which had been recently attempted. All this is clearly very desirable and useful—*as far as it goes*. It is an improvement upon the total idleness, or absolutely useless, and therefore merely penal, labour which prevails still in many workhouses. It is a step in the right direction—that, namely, of *productive* employment. But such occupation can go very little way towards the full industrial employment of so vast a number of hands. Nor is it work of the kind which it is most desirable to teach, or maintain the habit of, among the greater number of inmates, belonging as they do to the agricultural class.

I mentioned to Mr. Connor, the able clerk of the Union, who obligingly showed me over the house, the nature of the employment I had seen carried on by the able-bodied male paupers of the Sheffield union; and asked if similar facilities could not be obtained near Limerick. A range of hills was pointed out to me, not three miles from the workhouse, and therefore, actually within a daily walk for the inmates of the establishment, all the upper part of which is waste moorland, perfectly reclaimable.

Now here would seem to be at hand the means of *productive* employment for the thousand and odd able-bodied male paupers now shut up idly in the Limerick workhouse; as well as for the additional numbers (their precise amount I could not ascertain) who are maintained on out-door relief.—Why should not this be done in the Limerick Union, as well as in the Sheffield? The facilities are far greater, as I have shewn. The pressure of able-bodied pauperism is likewise greater, and the relief of the rate-payers is much more needed, inasmuch as the poor rate averages 8s. in the pound in the Limerick Union, and large numbers of the ratepayers are themselves reduced to the verge of pauperism by this heavy tax.

It is incredible that the return which must be realized from the produce and improved value of the mountain so reclaimed would not pay the cost of maintaining the men employed on it, and their families. Now these (the able-bodied and their families) compose at least one half of the relief lists, and thus one half of the present expenditure would be recoverable—that is, saved. But it would do more than this. If the land, as fast as it was reclaimed, were well cropped, and cultivated with skill and science, its produce would go far towards maintaining the other half. At all events, whatever return was obtained would be so much clear gain over the present ruinous system. And this in a direct pecuniary sense merely, without reckoning the benefit derived from the improved industrial skill and habits which the poor people so employed would acquire, and which would tend considerably to make them capable of self-sustainment hereafter.

Whether the substitution of such an out-door labour test for that of the workhouse be advisable, as the mode of relieving the able-bodied poor in a *normal* state of society, in England, Ireland, or any other country, may be a question with many. But surely there ought to be no question that, as a remedy for the extraordinary and unparalleled amount of destitution which has existed in Ireland through the last three years, owing to the casual failure of the potato crop—destitution, the greater part of which is unquestionable and undoubted, in no degree the fault of the individuals, but of a system of which they are the innocent victims—the exclusive relief of the able-bodied poor within places of close confinement, called workhouses—but in which little or no work, properly so called, is done, or can be done—is a blunder, a mistake, a most suicidal policy.

It saves trouble to officials, no doubt, to be possessed of what they think a simple, infallible, self-acting test. It is so easy to answer all demands for relief with, “Come into the house.” If



they refuse, there is an end : whether they live or die, relief has been offered them. All responsibility thenceforth rests on themselves. If they accept in numbers beyond what the workhouse will hold, what so easy as to hire additional houses? In the Union of Ennistymon, at a few miles distance from the central workhouse in the town of that name, I passed through Milton-Malbay, where an enormous range of building, erected some years ago as a grand boarding house and hotel for sea bathers, is occupied as an auxiliary workhouse. A mile or two further on I came to Lahinch, another bathing place. Being in search of a lodging, I directed my steps to the largest and best-looking house in the place. It was in use as an auxiliary workhouse. I went to the next best house. It was applied to the same purpose. To a third house; the same. Literally, all the best houses in the district are filled with paupers, and mostly with male adults—the women and children being relieved out-of-doors, the men alone being locked up, positively to prevent their doing any work! And all this time much of the surrounding country (a naturally fertile soil) is waste and unproductive, *for want of labour!*

In other respects the Limerick workhouse is very creditably managed. Every part of it was scrupulously clean, and the food, clothing, and bedding, seemed to be all that could be desired in such an establishment. One exception I met with, which I should not notice but for its bearing on the question I have just alluded to. In one of the yards I observed a large quantity of rotting straw, giving out a very offensive effluvia, and contrasting in this respect with the generally wholesome state of the wards. This I found to be the contents of the mattresses, which are shifted monthly, and had been emptied there the day before; and it ought to have been removed immediately by the contractor, who pays a trifle for this and all the other refuse of the establishment.

I could not but think how valuable the refuse matter of 5,000 inmates might become, in conjunction with the waste land farm which I was at that moment suggesting to Mr. Connor. Mr. Chadwick, if I recollect right, calculates the value of such matters at a pound a head per annum.

One defect—not peculiar, however, to this, but common to all, or nearly all, workhouses—I was struck with, namely, the want of classification, especially in the female wards where young women, as soon as they reach the age of adolescence, are turned into the society of some of the most abandoned characters, generally without a mother's or a mistress's eye to watch and guard them from contamination, and without any constant occupation



to secure them from the dangers of idleness and bad company conjoined. This is a serious drawback on the advantages of the workhouse system of relief, rate them as high as you please.

While steaming down the noble estuary of the Shannon from Limerick to Kilrush, I admired, of course, as all must do, this splendid example of river scenery—the rich lands sloping on either hand to the river, the handsome mansions, picturesque old towers and abbeys, and thick-tufted woods. But it was impossible, at the same time, not to remember the intense sufferings that had been endured for years, and were, even at the moment, borne by the population on both banks, in Limerick county scarcely less than in Clare—the extent to which destitution, disease, and death were still at their fell work amidst those smiling and happy-looking scenes. And this while the land is, by general admission and avowal, not made to produce one-third of what it is capable of producing, nor affords employment to one-half the amount of labour which is required to develop its natural fertility. I saw much doing, however, on the estates of Lord Clare, and one or two others. Their hills were scored with drainage works, executed under the Land Improvement Act. But I was assured, upon authority fully to be depended on, that every acre of the extensive tracts stretching around for miles wanted, and would repay the cost of, similar improvements to the full as much as the comparatively small surface on which they are as yet in operation. Is it not then a sin and a shame that able-bodied men should be starving on all sides for want of work—some literally starving, as, alas! I soon saw them too certainly before my eyes—others maintained by the thousand in idleness—uselessly at all events—at the cost of the industrious community, upon local rates, rates in aid, or the national taxation? Ought such a state of things to be tolerated any longer by the Government of a practical, common sense, reasonable, humane, and God-fearing people? Or, rather, ought such a system to be actually enacted and enforced, as is really the true state of the case, by the ruling powers of the land? These were the reflections with which upon my mind I descended the lovely waters of the Shannon, on my way to Kilrush.

What I saw there must be the subject of a future letter.

I remain, Sir, your obedient servant,

G. P. S.

## LETTER V.

*Kilrush Union—System of Extermination pursued there—Description of—Increased through suspension of the Poor-rate—Want of Employment—Future prospects.*

SIR,—I have promised to write what I saw in the Kilrush Union; but I know not how to find words to describe the scenes of misery and desolation which I witnessed, or the impression they made upon me. There are writers who would select some one or two individual subjects from the numerous groups, composed of squalid rags, skeleton frames, and sickly countenances, which clustered around me wherever I went, and, painting their details with the minuteness of Sterne or Dickens, would excite the sensibility of your readers. I can do nothing of the sort. I can only give you a general matter-of-fact account of the district, as it appeared to me.

First, let me say that I am not about to deal in personal charges against individual landlords for particular acts of oppression. I have endeavoured frequently to arouse the attention of the public and of Parliament to the system of extermination pursued by many landowners against their tenantry; and in doing so have been necessarily obliged to cite individual cases from Mayo, Clare, or elsewhere. But I have never done this with the view of calling down public indignation on the particular tyrant. I have no wish to play the part of public executioner, nor do I think this the province of a legislator, or even of a public writer. My object has only been so far to make known instances of wholesale eviction, and the frightful sufferings thereby occasioned to multitudes of miserable beings, as was necessary to prove the magnitude of the evil, and the paramount duty of the Government and legislature to interfere with promptitude and vigour, and forbid or prevent its continued perpetration.

“Public indignation” has little or no effect on the authors of these atrocities. I want to direct public indignation against the state of the law which permits them. They are murders in the common sense of the term; but they are murders sanctioned by law. Then, it is the law that is responsible for the crime, and that should fall before the just indignation of the public.

Moreover, the nominal landlords in many, perhaps a majority of these cases, are only the passive instruments of the law, which commits the acts in their name—or even without their sanction, in the name of the law itself; which has seized on the property

for the satisfaction of the landlord's debts, and holds itself bound, *per fas aut nefas*, to sweep up all that can be gathered from the land for the creditors, and, without compunction, to clear off the tenantry themselves, if there be the least hope of obtaining a larger dividend thereby.

But whether it be the work of individual caprice, extortion, and tyranny, or of the iron and merciless routine of legal proceedings, the real question is—are such acts to be permitted any longer to exterminate the bulk of the unoffending inhabitants of a district? Is a legislature, which professes to have the same regard for the lives and welfare of the poor as of the rich, of the many as of the few, to content itself with some indignant words of reprobation levelled by one or two of its members against “clearance landlords,” and to stand idly by to witness the extermination of a people?

For it is really this which is in progress. The word is a trite one, and may have been abused at times; but no other so truly expresses the process which is going on here. Extermination, be it remarked, not in the sense of extrusion merely, by compulsory emigration to other lands, the means being provided for the purpose—as has taken place in some other localities (a harsh process; very different, however, from what is done here)—but extermination by the destruction of the lives of the people—by their deprivation of the means of living, of shelter, clothing, and of a sufficiency of food. Nor is it the mere pulling down of the houses of a few defaulting tenants, to whom the workhouse is open, and for whom the Poor-law offers a certain resource against destitution. It is the general and systematic depopulation of the whole country, by the razing of entire villages, and the expulsion of the inhabitants—not into the workhouses, for they are choke-full, and will hold no more—but upon the bare road, or into wretched huts reared in ditches or bogs, where they die by inches; no Poor-rate that can be collected being adequate for their maintenance, and the auxiliary funds provided from other sources being insufficient to support life.

A moment's consideration will shew the futility of expecting any mercy to be shewn to these poor people by those whom the law at present arms with the power of destroying them. It sounds very well in English ears to preach forbearance and generosity to the landowners. But it should be remembered that few of them have it in their power to be merciful or generous to their poor tenantry. They act under compulsion, usually of the severest kind. They are themselves engaged in a life and death struggle with their creditors. Moreover, the greater number of the depopulators are mere agents for absent

landlords, or for the law-receivers under the Courts, acting for creditors, and bound by the established rules and avowed practice of the Court of Chancery itself (the head and fountain of justice!), to make the utmost of the property entrusted to them, without regard to any other consideration than the pecuniary interest of the parties which is committed to their care. Those landlords who yet have some voice in the management of their estates, seeing the highest Court of judicature in the realm sanction by its example this principle of action, think themselves justified—most of them indeed are compelled by the overwhelming pressure of their own difficulties—to follow the example. It is vain, then, and childish to expect mercy to be shewn under such circumstances. All is done in the sacred name of the law. The sheriff, the representative of the majesty of the law, is the actual exterminator. The officers of the law execute the process. The constabulary, acting under the orders of the magistracy, stand by to prevent resistance; and, if any is expected, the Queen's troops are brought to the spot to quell, with all the power of the Throne, what would amount to an act of rebellion. It is absurd, then, to cast the blame of these foul deeds, and their horrible results, upon a few reckless, bankrupt, wretched landlords. It is to the law, or rather the Government and legislature which uphold it, and refuse to mitigate its ferocity, that the crime rightly attaches; and they will be held responsible for it by history, by posterity—aye, and perhaps before long, by the retributive justice of God, and the vengeance of a people infuriated by barbarous oppression, and brought at last to bay by their destroyers.

Again, look to the fact, that the system now carried on by the Law and the Government in this district holds out a direct premium to clearances and extermination. In the greater number of Irish Unions which do maintain their own poor, that responsibility acts in some degree as a check upon the multiplication of paupers by wholesale evictions. But this Union of Kilrush, as well as all the other twenty or thirty "distressed Unions," are virtually absolved from this legal liability. The Poor Law is a dead letter here, or nearly so. It is said to be impossible to collect more than a small amount, 2s. or 3s. in pound, upon the valuation. And on this plea, the deficiency, to whatever extent it may extend—perhaps three, or four, or ten times that amount—is made up by Treasury grants, or the rate in aid. This, then, appears to every landlord, agent, or manager of an estate, the favourable moment for clearing it of the small tenants and cottiers, who, in the altered circumstances of the times, are looked upon as incumbrances. By sweeping them off now, the property incurs no higher charge for poor rate, while it acquires the



envied condition of being clear, or comparatively clear, of inhabitants, and of far greater value, therefore, in the market (to which it is probably destined), fitted for purchase or occupation by some large farmer or grazier from Norfolk, perhaps, or the Lothians.

It is my conviction, and I know it to be that of the persons on the spot who have had the best opportunity of watching what is taking place, that this is the calculation upon which many of the owners and managers of estates in the district are deliberately and systematically acting. It is obviously their direct interest to do so. In the present state of feeling as to the supposed overpopulation of these western counties, the setting and letting value of estates may almost be said to be in the inverse ratio of the number of the people on them. And the Government having suspended the operation of the Poor Law in these Unions for a time, it is of first-rate importance to a property that it be "cleared" while this interval of immunity lasts. Mercy and forbearance are not to be expected from persons under the influence of this strong inducement, and to whom an increase in the letting or selling value of their land is a question of ruin or safety, perhaps—a prison or independence. What becomes of their ejected tenants is not, they think, their business. Government has passed a law, or has undertaken, from other resources, to provide for them. Go, then, they must, in order to improve the value of their estate. No wonder that, under these circumstances, the work of eviction and depopulation proceeds so sweepingly.

I was assured, on the united authority of the admirable Poor Law officers who are devoting themselves to the perilous task of endeavouring to relieve the unparalleled destitution of this district, that in the Kilrush Union alone, within the last two years, 20,000 human beings at least have been turned out of their homes, and their houses for the most part levelled; the population of the whole Union being in 1841 but 82,000. What I saw confirmed me in the belief of this otherwise almost incredible fact. Wherever I went—and I drove in many directions over the Union, in company with Captain Kennedy, the indefatigable and humane inspector, whose fearlessness in exposing the horrors of these evictions is beyond all praise—I passed continually the traces of the "levellers." Sometimes eight or ten broken gables of stone-built houses were seen to rear their blackened and skeleton frames against the sky, betokening what had once been a comfortable hamlet—now a pile of ruins. Sometimes a few mere heaps of dirt, almost choked by the weeds which grew around, announced the wreck of a mud hovel. Some were single, some in twos or threes. At times a whole street in a



village had been destroyed. I seemed to be tracking the course of an invading army.

It is needless to particularise properties on which these sights were visible. This seemed to be the general character of the district. If any exception appeared, I learned that there also the preliminary notice of ejection had been served, and the fate of the inhabitants was only momentarily postponed. I drove through more than one village in which the sheriff, and his posse, and the landlords' bailiffs with their crow-bars, were expected that day or the morrow, and the inhabitants—in the unresisting apathy of despair—were awaiting the execution of the sentence which would deprive them of home and shelter for ever. On one property alone 600 souls were thus hourly expecting their doom !\*

And where were those on whom that sentence had been already executed—the 20,000 evicted destitute poor of the last two years ? Where, indeed ! My informants assured me that, to the best of their knowledge, the greater number of these are DEAD ! And they further expressed their belief, that in spite of all their efforts, notwithstanding the relief afforded through them to some 30,000 recipients at present—a number which would be largely increased before long, if the present system be continued, and no check placed upon the exterminators—one-half at least of the remaining population must likewise perish in the ensuing winter and spring. The reports of Captain Kennedy upon these evictions, which created a considerable sensation in the House of Commons and the public press—a temporary one, alas ! unproductive of any useful result—have been contradicted, in some instances, by one or two of the parties accused. I understand inquiry into the facts was immediately instituted by the Poor Law Commission ; and although the result has not been made public, the continuance of Captain Kennedy in the confidential position he occupies is a proof that the Commissioners are satisfied of the accuracy of his statements. So far as I could learn, the contradiction was for the most part a mere equivocation, and the facts substantially correct. Indeed, the general ruin and devastation visible on the face of the country would almost make exaggeration impossible. In each day's drive I passed the sites of many hundred habitations unroofed or levelled with the ground. In some of these ruins a faint smoke, rising from one corner, showed where a remnant of the family formerly dwelling there

\* The local journals announce the continued progress of the system, even on a larger scale, since I quitted the spot. On one property 1800 souls are reported to have been warned to turn out, and stand by to see their roof-trees torn down, their hearths demolished, and to face the coming winter without a shelter from the elements—they and their little ones ! I do not think the English people believe these reports, or they would, as one man, call upon Government to put a stop to scenes so revolting to humanity, so disgraceful to a Christian land !

still crouched under a few sticks and sods propped against the broken wall. But of course even this frail shelter would be soon denied them. These wretched beings, and others who yet occupied their houses, but expected soon to be forced out, were the recipients of out-door relief. And never shall I forget the crowds of miserable objects that clustered round the depôts where the weekly meal was being issued. Remember, that no clothing, or means of providing it, is permitted by the law to be given to out-door paupers; and yet many may have been on the relief list for years past. No wonder that they are but half covered by rags, which seem dropping off in fragments as they move. What can become of these poor things in winter? But the hollow cheeks and emaciated limbs of many, especially the children, too clearly reply.

Orders had been received from the Commissioners, just previous to my visit, for the thinning of the relief lists; and many hundreds had been struck off belonging to particular classes of the able-bodied, while great efforts were being made to fit up a new auxiliary workhouse for their reception. There appeared to be a general indisposition to enter the workhouse, under the impression that it was death to do so. This is caused in a great degree by the numerous deaths that have occurred in the house, which, however, are not owing to want of nourishment there, but to the fact that the poor wretches, postponing their entrance to the last, carry the seeds of mortality in their constitutions with them. They go in only to die. Others, who have come out, some of whom I questioned, spread the report that the food is insufficient there. But from what I saw myself, both in the central and auxiliary houses, and from the evident humanity of the Vice-guardians, and their anxiety for the safety of the poor, I am confident this is a false impression, though I believe not a wilful one.

The Commissioners, in ordering a reduction of the out-door relief lists, acted, of course, on the notion that employment could be obtained during the harvest time. I believe, as respects this district and others similarly circumstanced, such an expectation was, to a great extent, delusive. I was informed on every side, both by farmers and labourers, that the wages at that time (and the harvest had already begun) were little more than the man's two meals a-day; his food only—nothing, therefore, with which to maintain a family. One farmer, pointed out to me, had employed a labourer, my informant, for the three preceding days, "*for a pipe of tobacco.*" I questioned the farmer himself, who admitted that he gave him no more. Then how were the labourers with families to live—even through the harvest? Upon its termination, at all events, all must go back upon the relief.

And how long will the rate-in-aid, or the Government advances on account of it, hold out?

This is a momentous question, for the lives of a quarter of a million of people depend on the continuance of this extraneous aid.

The expenditure in the Kilrush Union alone has lately been at the rate of upwards of £1,000 per week. In some of the divisions reaching to 44s. in the pound on the valuation. Yet the relief afforded is wholly inadequate to the salvation of life. Supposing the food provided were sufficient, still shelter and clothing are as much necessities of existence as food; and they are not afforded to large numbers in want of them—numbers which, owing to the evictions, and the exhausting character of the present system, are continually on the increase.

What prospect, then, does the future hold out, when the rate-in-aid fund shall be expended.

Is the depopulation now in progress to proceed unchecked?

Does the district itself contain resources that might be made available to save its population from the destruction which impends over them?

These are questions I must reserve for another communication. Meantime, I remain, Sir, your very obedient servant,

G. P. S.

Castle Combe, Sept. 25, 1849.

## LETTER VI.

*What is to be done?—How stop the Clearance system?—How make the land maintain the people?—Relief principles—The Vice-guardians (or the Government) should apply the waste labour to the waste land.*

SIR,—The condition of the Kilrush Union, as described in my last, with the brevity to which I am obliged to restrict myself, is clearly one that holds out no hope of improvement if the system hitherto pursued be suffered to continue, but must become daily more ruinous to property, more destructive to human life. The question then arises—Cannot this frightful current of evil be stemmed? Is the murderous practice of extermination, now in such rapid progress, to be allowed to proceed unchecked? Does the district contain within it no resources that might be made available to sustain its population?

I. The first of these questions is usually answered by a vague and general assertion that the rights of property cannot be interfered with—that a landlord must be assisted by the law to recover his land from a defaulting tenant.

To this plea a sufficient reply might be given in the maxim, "Salus populi suprema lex." All rights must be held subordinate to the condition that the people shall not perish through their exercise. But, in fact, it is well known that the law, which confers all rights to property in land, has frequently interfered to prevent those rights being abused to the destruction of the people. The very abuse we are now contemplating has been made in this country a serious crime—even a felony—both by common and statute law. It is well-known that Depopulation was considered in England, up to the time of the Great Rebellion, "as a crime and oppression of a crying nature, that barreth God of his honour and the king of his subjects"—words in which it was designated by Lord Keeper Coventry, when admonishing the Judges, before going the summer circuit in 1635, to inquire into and punish its committal; and, by the Criminal Courts of that age, heavy penalties were inflicted for the offence of pulling down houses and turning tillage lands to pasture, and the offenders were compelled to rebuild the houses and restore their dispossessed tenantry. Although the "Husbandry Acts" have been repealed, it is yet a question among lawyers whether Depopulation be not still a crime punishable at common law in Ireland as well as in England.\*

But, looking only to the undisputed law of the land, we know that under it the full amount required for the due support of the destitute poor is leviable from the landed property of the district. And by the Act of last session the land itself is made saleable for recovery of this full amount. Yet, in the face of this liability, the Commissioners—that is, the Government—are satisfying themselves with levying only a small proportion, a fourth or a third of the expenditure, making up the deficiency from other sources. In the Galway Union it appears from a recent letter of the Poor Law Commissioners, this extraneous aid has amounted to no less than £50,000. in the last two years. The Kilrush Union has probably received still more in aid of its rates. In the same manner the repayment of the labour-rate advances is being postponed. If, then, the law is thus suspended in its operation against the landlords (from whom for the most part the rates of this district are leviable, owing to the large number of holdings under £4.) ought it not to be made a condition of this indulgence to *them* that the exercise of their legal rights to extract the last farthing from *their tenants*, and drive them forth naked, houseless, and starving upon the world, should be suspended likewise? Is it right that the extreme letter of the law should be

\* See an able article on this subject in the "Dublin Review," No. XXVI., for November, 1842.



rigidly enforced at the request of the landlords against the poor—whom the visitation of Heaven has deprived of the means of fulfilling their engagements—even to the length of “extermination,” while its operation against the landlords—a portion of whose incomes alone, not their lives, are at stake—is suspended by the leniency of the Government? Is this unequal treatment of the rich and the poor, of the powerful and the humbler classes, consonant to justice? If the payment of rates be excused, it should be on condition that rents are not mercilessly exacted by landlords, of whom the unmerciful servant in the parable is precisely the type.

These considerations would, it seems to me, fully justify the Legislature in interfering to stop at once the system of Depopulation through these districts, either by making it punishable with a fine, or, at least, by rendering the estates upon which it has taken place specially liable for the entire cost of maintaining the dispossessed poor.

II. The second question proposed above—namely, Does not the district contain resources that might be made available for sustaining its inhabitants?—is become within the last few weeks more important than ever, owing to the probability of the failure of this year's potato crop likewise, and the prospect of the early exhaustion of the extraneous funds now provided by the Treasury, on the credit of the rate-in-aid. If the question can be answered in the affirmative, all must admit that not a moment should be lost in applying the utmost powers of the State to the development of such resources, and their application to the paramount object of rescuing the population from impending destruction and the country from ruin.

Now, I have no hesitation in declaring the opinion that, considerable as is the population of the Union of Kilrush, (82,000 by the census of 1841) when compared with its rated valuation of but £60,000,—yet the natural capacity of the soil alone (without reckoning the large additional resource which the sea fisheries of the coast might be made to afford) would, if cultivated only with moderate skill and industry, afford profitable employment and a decent maintenance to far larger numbers.

There can be little question, moreover, that the population has considerably diminished since 1841. I was assured by the minister of the parish of Carrigaholt, which previously to the potato rot contained 13,000 inhabitants, that it has now but 9,000. If the reduction has been in the same proportion through the Union, its total population at present would be under 60,000. But its area is, in round numbers, 180,000 acres, or three acres



to each unit of the population—that is, from fifteen to twenty acres for each family.

There are, no doubt, some parts of the west of Ireland of a rugged or mountainous character, abounding in rock or bog, in which an average area of this size would not suffice to maintain a family; but in the Union of Kilrush there is very little, if any land, not susceptible of tillage.

The general surface of the country is an undulating plain, scarcely anywhere rising to elevations of more than a hundred feet above the sea. The soil is deep and friable, easily worked with the spade or plough, of a very good quality, especially suited to green crops, and capable of bearing excellent crops of oats or barley, of which I saw good samples wherever anything worthy of the name of cultivation had been pursued. In some still rarer instances I observed cabbages, parsnip, turnip, and mangel, growing luxuriantly, and shewing the soil and climate to be admirably suited to them. Although the Atlantic breezes seem to be fatal to all vegetation that rises high above the surface (not a tree or a bush being visible through the length and breadth of the Union), they are, from their mild temperature and moisture, favourable to the growth of root crops and artificial grasses, and by no means injurious to the cereals. Sea-weed and a very fertilizing calcareous sea-sand are likewise at hand along the coasts—where the population most abounds—for application as manure, beyond what might be made on the land.

With all these natural advantages I found the general cultivation of the district below anything I have seen elsewhere, or could imagine possible. Generally speaking, the soil might be described as soaked in water and covered with weeds. Except on one or two exceptional properties (where some improvements have been begun recently under the Land Improvement Act) there has been no attempt at drainage, though the soil and climate render this an indispensable preliminary to good cultivation. Indeed three-fourths even of the arable land appeared to be in the condition of waste. How much of this was left untilled owing to the recent eviction or desertion of the occupiers, and how much was only in that equally waste condition which seems to be part of the regular rotation of west of Ireland agriculture (namely, a naked fallow, allowed to cover itself with weeds under the pretence of resting), it was impossible to determine. From one cause or the other, a large extent of land of good natural quality appeared in the condition of rough pasture, full of docks, thistles, rag-weed, and rushes. There seemed, too, a general absence of stock. For miles scarcely a cow, or sheep, or pig was to be seen.

There is a considerable surface of unreclaimed bog, composed of black peat, and evidently capable of producing very fair crops of turnips, cabbages, oats, and potatoes. Of the latter I saw samples dug out which positively whitened the black soil through their abundance and size. And this upon pure peat, ten feet deep, without other drainage than the furrows between the lazy beds. The crop was equally good where the peat had been cut away for fuel, and on the adjoining surface of the uncut bog. I was told by farmers and others that the potatoes grown on the black peat had scarcely ever failed; which agrees with what I have before stated as to the potato crops of the Lancashire mosses, and excites astonishment that so little of the surface of these bogs has been planted during the last two or three years, in which a sound crop of potatoes would have made the fortune of its possessor.

On the whole, I am confident that the soil of this district is fully capable of returning, to any fair system of cultivation, an amount of produce sufficient to maintain a much larger population than it has at present, and that the labour of many more than the number of its able-bodied inhabitants might be remuneratively employed in effecting this.

But it will be asked from whence is the capital required for this purpose to be obtained? The landlords are bankrupt: the tenants, ruined and starving. Neither purchasers nor fresh tenants, possessed of capital, can be expected to face the perils of the existing state of things—the liability to a poor-rate of some 20s. or more, in the pound. All is now at a dead lock. “Private enterprise” is powerless. The interference of the State alone, promptly and judiciously directed, offers a chance of improvement. But in what way should the State interfere?

If the last four years could be recalled—if we were still in 1846, and possessed the resources then at our disposal, and a foreknowledge of the evils to be avoided—few persons, I think, could hesitate as to the principles of relief that should be insisted on; at all events in such a district as this, viz. :—

1. That the maintenance of the *able-bodied* should *not* be *elemosynary*, but *industrial*.

2. That their labour should be rendered as *productive as possible*, not wasted on useless work, under the false pretence of its being a better *test*.

3. That the land should be *made* to maintain the people, they being willing to work, and the land being capable of giving an ample return for their labour—which two propositions few now venture to deny.

The almost unlimited funds which at that time Parliament was willing to grant or to lend for the relief of Irish misery would

have furnished the capital necessary for working out these principles. And by their operation this fund might have been made to reproduce itself, so as to prove sufficient for continuing them on almost any scale that might be required. But alas! the opportunity was thrown away, and the position we now occupy is immeasurably more difficult in consequence.

Still, these principles alone are capable of solving the difficulty; for the continuance of the suicidal system of feeding the population in idleness, or unproductively, from taxes levied on other localities, while fertile land lies waste all around, I hold to be impossible. And equally impossible is it that they should be left to starve. In what way then is this great difficulty to be met? In offering the following suggestions as a reply to this momentous question, I will divide it into two heads, viz.—First, what can be done at once by the mere “fiat” of the Government as the law now stands? Secondly, what change is required in the law for the purpose, so soon as Parliament can be brought together?

In all the thirty-two Unions which are administered by Vice-guardians (or so many of them as may continue to be so administered), these officers are responsible for the due maintenance of the poor: for their maintenance, that is, in a decent manner, as Christian men, our fellow subjects, and citizens of this civilized and wealthy empire. I maintain it to be an infamous disgrace to the character of the Government—by whose direction these officers act, and to whom they are responsible—that persons in the receipt of relief (as are the out-door paupers of these Unions), and therefore in the care of the State, should be left destitute of clothing, and burrowing in ditches, while fed in a manner in which no domestic animal is treated, upon a daily dole of raw meal, of about the value of  $\frac{1}{2}d.$  and a fraction per head.

What would be said if we treated our paupers in this country with such barbarity? But why are the poor of Ireland to be used worse than the poor of England? It is *because the former submit to it*, with a patience and resignation which it is heart-breaking to witness, and which one scarcely knows whether to praise or blame—while we all know the latter would not so quietly bear with wholesale extermination.

It is the duty of the Vice-guardians to provide adequate and fit shelter, clothing, and food, for all who are really destitute; and the law has given them ample powers for this purpose. They may hire or erect additional workhouses to any extent that may seem to them necessary. And, much as I would deprecate, under ordinary circumstances, the system of shutting up the bulk of a population in workhouses, yet I consider it infinitely better than leaving them without clothing or shelter, to the mercy of

the elements in a district where their own houses have all been levelled. Moreover, when coupled with the productive employment which I am about to recommend, it will be found that the erection of auxiliary houses (of a temporary character) near the works, would be preferable even to the maintenance of the poor in their own houses, if they were still standing. By a vigorous exercise in this manner of the powers they at present possess, the Vice-guardians may, and ought to, lodge, clothe, and feed, decently and properly, according to the requirements of the first section of the Poor-law of 1847, every destitute man, woman, and child in the Union; no longer permitting them to perish in ditches, or in pestilential, over-crowded hovels.

To defray the cost of these proceedings, let the Vice-guardians without delay strike the necessary rates to the full amount required, as well as to pay the debts due by the Union and other current expenses. This also is their strict duty, enjoined upon them by the law, though hitherto neglected on the plea of the impossibility of collecting such rates. But the law of last session gives them the power to recover the full amount of any rate due, by civil bill decree registered in the superior Courts, and the sale of a sufficiency of the interest of the defaulter in the lands on which the rates are due. Let them employ this power with promptitude and vigour; and in default of purchasers appearing, themselves purchase and hold such interest at a valuation, as is done with chattel property under distress. Then, having possession themselves of the land, with all the rights of the owner, let them set to work the able-bodied paupers in draining, trenching, reclaiming, and permanently improving such lands, as well as in cultivating portions which they may see fit so to employ. The labourer should be paid or fed on rations, and clothed and lodged in the auxiliary houses above referred to, some of which may be erected for the male workmen in the vicinity of the works, if necessary. This would be the system of the Sheffield Union and the Highland test works, adapted to the peculiar circumstances of these Irish Unions.

The Vice-guardians of each Union would require as their agent in these operations an experienced land-improver. But no doubt among Lord Clarendon's practical instructors many such are to be found.

They would need also the advance of funds from the Treasury to carry on such works. But these advances, being made on the credit of the landed property taken possession of by the Vice-guardians on account of the Union, and improved by the expenditure of the money, would be made on unimpeachable security. They might even be made on the terms and under the powers of



the Land Improving Act. Besides, it is quite clear that funds *must* be *either lent or given* by the State to keep the poor of these Unions in life, unless Parliament is content to stand by and see half a million of poor starve, while general beggary and plunder, with perhaps other and worse crimes, prevail over the land.

No very large funds, however, need on this system be required, inasmuch as the lands improved by drainage, or reclamation, may be almost immediately sold, or let to tenants of capital, induced to occupy by a guarantee against rates, which the Vice-guardians will have it in their power to afford. They may let rate free for a term, or at a maximum, because the rent received would accrue to the same fund as the rate.

In this manner the lands taken for arrear of rate would be set free from the dead-lock which now prevents their improvement, and even their cultivation. The remainder of each estate would also be cleared of debt to the Union, and, so far, be in a better position; while the lands improved and managed by Vice-guardians would, probably, become models for the district.

It may be objected (and I will not be positive on this point) that the Vice-guardians, though empowered to sell, cannot purchase or hold lands under the law as it stands. If this should prove to be the case, it would be easy for the Government to make the purchase through an agent or commissioner, and in co-operation with the Vice-guardians, carry out the system sketched above.

Something like this must have been intended, I imagine, by Sir Robert Peel, when he recommended the purchase by Government of the Connemara and other bankrupt properties, which fail to fulfil the duties imposed on them by law. Something of the kind, too, must have been Lord Stanley's intention, when, in his speech in the House of Lords, on the 9th of February last, he urged that "the reclamation of the extensive tracts of waste lands, of which so large a part of Ireland consists, should be made the means of relieving and employing the labouring poor;" and further, that the Guardians of Unions should take possession of the lands "left waste," for the arrears of rate due on them, and set to work the able-bodied poor on their cultivation and improvement. With the sanction of such a plan implied in these suggestions from the heads of the two rival parties of the opposition, why should the present Government hesitate to act on this principle—the only one which can solve the tremendous difficulty they have to encounter in these western Unions?

But I must reserve to another letter the further suggestions I have to make, and remain, Sir,

Your very obedient servant,

G. P. S.



## LETTER VII.

*Further Suggestions—Assistance should be given to the small Farmers to improve their holdings, and instruction, with Security of Tenure—and further Assistance, Encouragement, and Protection against Poor-rate to improving and employing Proprietors—Necessity for speedy action, and a vigorous policy to make the land maintain the people—Conclusion.*

SIR,—I suggested in my last letter that the Vice-guardians of the Kilrush Union (and of others in similar circumstances), or the Government, acting through a commissioner, should employ the able-bodied paupers on the improvement and cultivation of the lands now waste, which might be taken in satisfaction of arrears of Poor-rate. But inasmuch as independent labour paid by wages is infinitely preferable to pauper labour, paid in kind, I think it desirable that assistance should also be given to the struggling farmers who still retain their holdings, to enable them to drain, reclaim, and cultivate their land; after the example set by the Highland Relief Board.

It is, indeed, difficult to justify the course that has been hitherto pursued, of lending the assistance of the State only to the landlord, and refusing all aid to the landholder. While a million and a half was lent on the most favourable terms to the former class, to enable them to improve their estates, the latter have been sternly refused all aid in the way of loan or gift, except on condition of their giving up their occupation altogether, and entering the workhouse as paupers. The consequence has been, that nearly the entire class of small farmers has been annihilated; when a little timely assistance, accompanied by guidance and instruction in the improvement and better cultivation of their farms, would have enabled them, not merely to preserve their position in society, but greatly to advance it. The idea was, that it would be better for the small farmers to give up their holdings and become labourers for hire. And a great deal was talked, or written, about the superior condition of the day labourer at 8s or 10s a week, in constant employment, to that of the farmer of five or ten acres. So all help was refused to the 300,000 or 400,000 small farmers, whom the potato failure reduced to sudden destitution, in order that they might be converted into day labourers. There would have been some seeming reason in this, if employment had at the same time

been offered them. But, unfortunately, this necessary part of the scheme was omitted; and the result has been, that these poor people have been forced out of their only means of living, without the possibility of finding any other. Constant employment, at living wages, was never to be obtained in the greater part of Ireland: it is now less obtainable than ever. It is not likely to be generally obtainable by the present generation, whatever changes may take place. It would then have been a more humane and sounder policy to have left them in the occupation of their small farms; and, by assistance and instruction, given in the method I have described as practised by the Highland Relief Committee, by Dr. Mackenzie in Gairloch, and by Mr. Matheson, in Lewis, enabled them to improve their land and their system of cultivating it, so as to obtain a livelihood, and at the same time add to the wealth of the country, instead of becoming (as those of them now are who have not been killed off) a ruinous tax and burden upon it.

That the improvement of the small spade-labour farms,—not their abolition for the purpose of substituting large farms cultivated by machinery, horses, and hired labour—is the only policy suited to the circumstances of Ireland, and even to the interests of its landholders, has been so ably demonstrated by Sir Robert Kane, that I would only refer those who still entertain doubts on this vital question, to his recent paper in the “Agricultural and Industrial Journal of Ireland.”

No doubt the subdivision of occupations under the potato-plot system had been carried to the most injurious length. But the number of holdings has been now reduced to a degree which would enable the land to be distributed into farms, each of a size capable of comfortably maintaining and affording full employment to a family in spade cultivation, provided they are also instructed how to make the most of their land.

I propose, then, that Government should give assistance, on this principle, to that portion of the class of small farmers which has not yet been engulfed in the abyss of pauperism, or exterminated altogether.

Such assistance might be given in the shape of employment at money wages for themselves and their families, in the permanent improvement of their holdings, according to the conditions prescribed in the Improvement Act; the advances so made being charged, as in that Act, upon the lands improved.

To this, it may be supposed, that some landlords would object, preferring to get rid of their poor tenants by clearance, or the pressure of the times, and to consolidate their farms. But I do not scruple to express the opinion that their objection should

not be allowed to prevail. Nay, more, that the tenants so assisted, and who executed to the satisfaction of the Government officers the improvements directed by them, should, in case they have no leases at present, be guaranteed in the continued occupation of their holdings (under fitting conditions of a proper system of cultivation) for a term of years, at a fixed rent—say the present Poor-law valuation.

This would, of course, require legislation; and would, no doubt, be an assumption, to some extent, on the part of the Government, of the rights of the landlord. But it would only be applied in cases where the landlord has failed to fulfil not only his duties, but even his legal obligations, and so made it necessary for the Government to undertake them at the cost of the public. Nor would he have any real cause for complaint, since he would obtain an increased security for the payment of his rent in the improvements effected by the Government advances. Should the rent be at any time unpaid, he would have the usual remedy of ejection, and recover his farm, subject only to the same charge for its improvement as if he had himself effected it under the Improvement Act.

This assistance to the poor occupying tenant should be kept as distinct as possible from pauper relief—the object being to preserve the remnant of this class from the slough of pauperism, retaining their independent position. I think it impossible to over-estimate the spirit of hope, industry, and energy, that would be infused into the desponding and inert tenantry of the mismanaged estates of the west of Ireland, by thus extending to them at once the encouragement of a *secure tenure*, assistance in the improvements of their holdings, and *instruction* in the best methods of cultivating them. Under the influence of such stimulants, I believe that the improvements effected by them would be so rapid as to put the repayment of the advances made to them beyond question.

At the same time it would be most desirable to offer the utmost encouragement and assistance to such landlords as are willing to undertake themselves to give employment to their tenantry or to others. I cannot see any good reason for limiting the amount lent for this object under the Improvement Act. The security is of the most unquestionable character.

And as a further encouragement I still retain the opinion, to which I endeavoured to give effect by a bill introduced in the last session of Parliament, that those estates which afford employment and an independent maintenance to their full proportion of the population of the division, ought to be protected from the pauperism of adjoining neglected properties by allowance of a set-off against poor-rate.

Moreover, as I have already said, the Clearance system must be checked either by direct prohibition, or, at least, by making those who pursue it responsible for the pauperism they thereby create. For this end it would be desirable to enact, that the cost of maintaining a pauper be charged for a term of (say) five years upon the estate on which he rented a house or land within the (say) five years preceding his application for relief. This would be only a just and necessary protection to those landlords who exercise a humane forbearance towards their poor tenantry, and either employ them or afford them the means of emigration.

An example may serve to shew the expediency of these last proposals. Close behind the small town of Kilrush is an extensive estate, than which in no part of the Union is there a tract of land more wretchedly treated and desolated by mismanagement. I could see nowhere upon it a drain opened—a field well tilled. Everywhere ruined hovels, and a wilderness of weeds. On this estate alone no fewer than 154 houses have been lately levelled; and as many families, comprising nearly a thousand souls, driven from their homes and holdings! Nor has this proprietor, like some others, the excuse of insolvency to plead. He is said to be wealthy. Further than this, when it was proposed to send a “Practical Instructor” in husbandry down to this wretchedly cultivated district, and only £25. was asked for this purpose from the whole body of landowners, not one farthing would this gentleman contribute.

Adjoining to this estate is one belonging to another proprietor, who, finding his tenants too crowded for their comfortable maintenance, provided the means of emigration for about two hundred of them, and is now employing and assisting the remainder, among whom the vacated farms were divided, to improve and better cultivate their occupations.

Now, as the law stands at present, the latter estate will have to pay an overwhelming Poor-rate to support the evicted and pauperised tenantry of the first. Is this just? Is it politic? Is it encouraging to that line of conduct in landowners which can alone save the country and the people?

By the several alterations of the law I have recommended, proprietors would be both aided to exert themselves, to employ the people, and to improve their estates; and protected, while fulfilling this duty, from the consequences of their neighbour's neglect, which would fall, as they ought, upon himself alone.

And in those desperate cases, where employment is still deficient, in spite of every aid and stimulant, from the land being locked up in the ownership of an inert, insensible pro-



prietor, such as the one I have just adverted to—and the people are consequently perishing in forced idleness, upon a soil which Providence has abundantly endowed with fertility for their industrial maintenance—in such extreme cases the State, I maintain, is bound to interfere to prevent so great an abuse of the rights of territorial property. In what manner this interference, in my opinion, ought to be exercised, I have already pointed out.

The ownership of land is undoubtedly but a trust. The end in view of the laws which confer it can only be the welfare of the people. It should not be permitted to be made use of for their destruction. Exceptional legislation is required for so exceptional a case. Already life and property have been sacrificed in these districts, to an immense extent to the maintenance of the “*Laissez-faire*.” Its victims must be counted by hecatombs. There is not a moment to be lost in devising and carrying out some policy of greater vigour for the salvation of the remnant of the inhabitants of these unhappy districts.

The Encumbered Estates Act was, no doubt, a strong measure directed to this object. But its movement will be too slow for the purpose. It is doubtful whether, if all the bankrupt properties in the Union of Kilrush were brought to the hammer to-day, a single sale would take place, or any change be made in the existing state of things there. I repeat, the dead-lock cannot be removed—or rather, the current of ruin which is rapidly swallowing up property and life cannot be stopped, or the flood turned, except by the direct action of the Government itself—appropriating the misused land to the employment of the ill-used and starving people.

I recommend such direct interference only in cases where the necessity clearly exists—as in the circumstance of a great number of estates in the Union of Kilrush (which I have taken as an example), and the other “insolvent unions,” that require extraneous aid to maintain their population.

In Clifden Union, for example, who that has seen it can doubt that interference is equally required as in Kilrush?

In Galway Union, recent accounts declared the number of poor evicted and their homes levelled within the last two years to equal the numbers in Kilrush—4,000 families and 20,000 human beings are said to have been here also thrown out upon the road, houseless and homeless. I can readily believe the statement, for to me some parts of the country appeared an enormous graveyard—the numerous gables of the unroofed dwellings seeming to be gigantic tombstones. They were, indeed, records of decay and death far more melancholy than



any graveyard can show: Looking on them, the doubt rose to my mind, am I in a civilized country? Have we really a free constitution? Can such scenes be paralleled in Siberia or Caffraria?

I have trespassed far too much already on your indulgence, and must now close this correspondence. I am conscious that I have but touched on the question I proposed to examine, and brought but a small amount of personal observation to bear upon it. But my object was to select only some few striking illustrations in support of the view I have always entertained, and which is at length obtaining very general acquiescence—namely, that the population of the United Kingdom is not really in excess; that the land is everywhere—even in the most seemingly over-peopled and pauperized districts of Ireland—amply capable of repaying the employment of additional labour to an indefinite extent, if only a judicious use be made of it by those whom the law has entrusted with its ownership; and that the law itself be so modified as to encourage, instead of discouraging, improvement, to secure to industry its due reward, and to mismanagement and neglect of the duties of land-ownership their fitting punishment.

I remain, Sir, your very obedient servant,

G. P. S.

Oct. 3, 1849.

THE END





575-2852  
1832  
VOTES IN AID

AND

RATES IN AID

OF

THE BANKRUPT IRISH UNIONS.

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TWO SPEECHES

DELIVERED IN THE HOUSE OF COMMONS

BY

G. POULETT SCROPE, ESQ. M.P.

ON

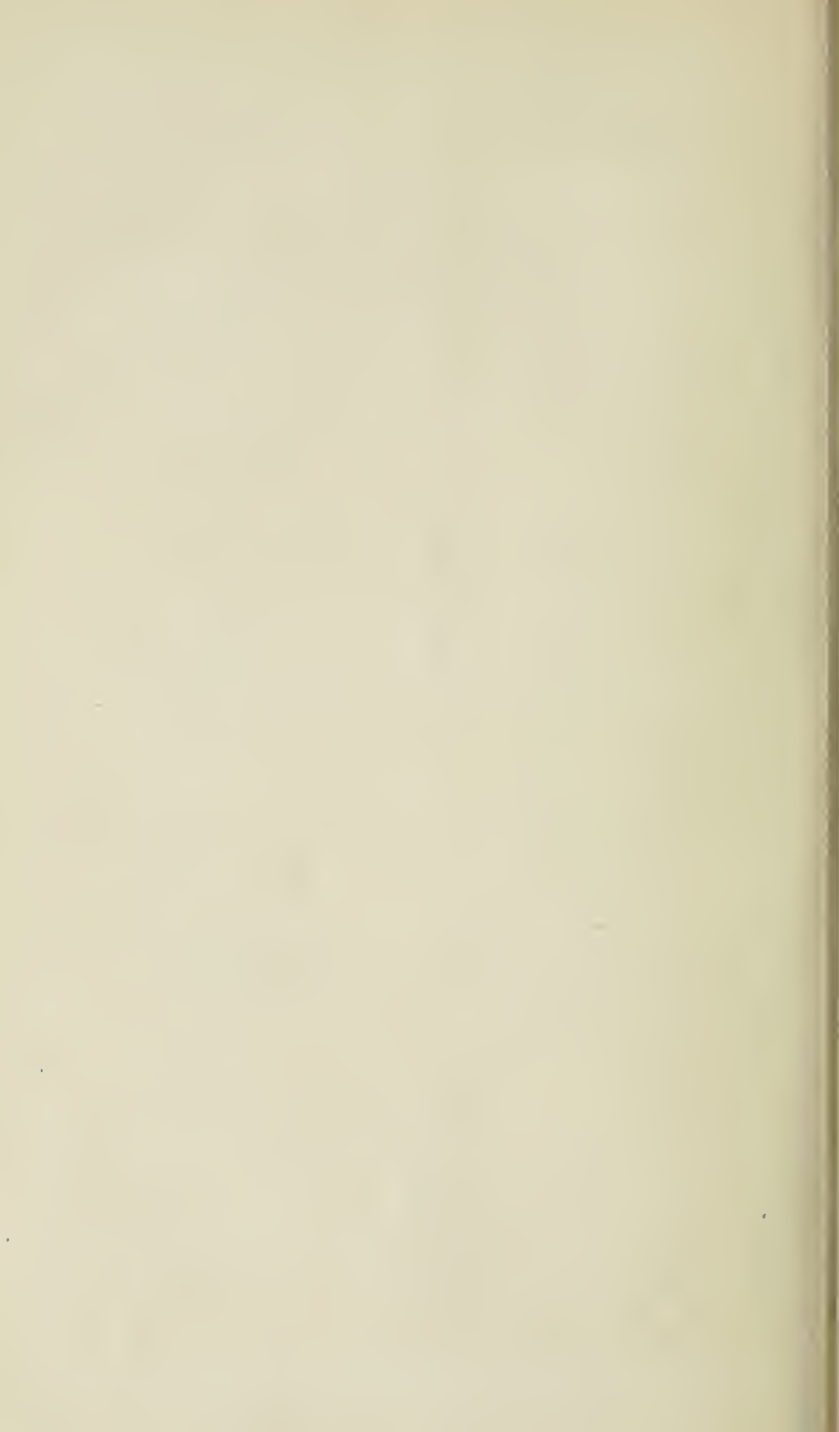
*Friday, 16th February, and Tuesday, 27th March, 1849.*

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LONDON:

JAMES RIDGWAY, PICCADILLY.

1849.





## SPEECH OF MR. POULETT SCROPE,

IN THE HOUSE OF COMMONS,

*On Friday, Feb. 16th, 1849.*

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RESOLUTION *reported*:—

“That the Commissioners of Her Majesty’s Treasury of the United Kingdom of Great Britain and Ireland be authorised to direct the issue, out of the Consolidated Fund of the said United Kingdom, of any sum, not exceeding 50,000*l.*, for affording relief to certain distressed Poor Law Unions in Ireland.”

Resolution read 2<sup>o</sup>.

SIR,

The two Amendments I propose are, at the end of the Resolution, to add the words—

“Provided that the money be advanced only as a loan, and repayment secured by a lien on the lands liable to the uncollected Rates, with power of sale for its recovery.”

“Provided also that the money be expended, so far as is practicable, in the productive employment of the able-bodied paupers.”

Sir, I hope the House will not make light of this Amendment, on the ground of the apparent insignificance of the amount of 50,000*l.*, and that it does not matter whether the grant of such a paltry sum is made a free gift or a loan in aid of these Irish Unions. The sum, indeed, may seem very small, but the principle involved in such grants is very large and very important; and as I think it a very unwise and very pernicious one, I trust I shall be excused for troubling the House with the reasons that compel me to make a determined stand against it. The House must remember that, only a few months ago, a vote of 132,000*l.*, for similar purposes, was called for and acceded to by this House, not to say any thing of the millions that were granted to Ireland in the course of

the two preceding years ; and looking to the probable future state of Ireland, can any one possibly suppose that this will be the last vote which we shall be called upon to make for a similar purpose? On the contrary, I agree with the estimate of the Hon. Member for Northamptonshire (Mr. Stafford), that the probable wants for these twenty-one Unions for the current year alone, beyond the small sum they would be able to gather from the rates, will be about half a million sterling. How this deficiency is to be made up is the real question. These twenty-one Unions only paid last year a rate of 2s. 1d. in the pound ; and a deficiency of 10s. in the pound had to be made up by the Government and the British Relief Association. A similar deficit—if, indeed, not a greater one—must be expected this year. How then is it to be met? Intimations were given in the public papers the other day, that very possibly a rate in aid would be required in Ireland to supplement these deficiencies. But the number of districts that can afford to contribute towards this fund, after maintaining their own poor, will be very limited, and I doubt very much whether they will be able to collect 6d. of additional rate in many Unions in Ireland. Many of them are struggling under extraordinary difficulties, and barely able to support themselves ; to impose a rate in aid upon these will only reduce them into the same bankrupt condition as the twenty-one absolutely bankrupt Unions which we are called upon to assist, and thereby increase the number of Unions that must be supplied with extra aid. This increase must again lessen the number that can assist the most distressed Unions—which, again, will in its turn widen the sphere of bankruptcy ; and so the evil will go on, perpetuating and aggravating itself in the most frightful manner. I therefore, see no other means of making up the deficiency that must inevitably exist for the next two or three years, except by coming from time to time upon the Public Treasury for advances, and the question I wish to raise is whether those advances are to be of this nature of gratuitous grants, or loans for which we shall take security, and of which we shall determine to require repayment.

Sir, I believe this House has sanctioned the principle, by repeated and large majorities, that the Irish poor have the same

claim upon the State to be kept from starvation as the poor of our own country; and this responsibility cannot by any fair means be avoided. The House I am convinced, would never suffer the people of Ireland to be decimated by hunger, or allow the means for their relief to be cut down below the allowance necessary for supporting life. Whence, then, are the funds to maintain them to be procured? Now, I contend that all gratuitous grants in aid exercise both a corrupting and paralyzing influence upon the districts that receive them, and are, moreover, diametrically opposed to the main principle of the Poor-law, which I believe to be local responsibility for local destitution. Rates in aid are almost unknown in England; still less is there any precedent for continued national grants of this description. The House is now called upon to establish a principle that will absolve these districts from their local responsibility; which will offer a direct premium to the non-payment of the rates; and actually hold out a bonus to parties to resist their collection. I understand it is intended to adopt the rule of not pressing the collection any longer when a difficulty is experienced in raising the rates; but if this limit be laid down, and all those excused who are liable by law whenever a difficulty is experienced in the process of collection, and levies then made upon other parties not now liable either in this country or in Ireland, to make up the deficiency, I believe that this would be to pursue a most dangerous course—a course that would discourage all self-reliance in any given locality, and would open the door to fraud and collusion of every kind, in order to prevent the seizure of property for the rates. Under such a system it will be perfectly impossible, use whatever measures of force you choose to collect the rates, if once you say that parties from whom it is difficult to get their quota shall be excused. But look at the injustice you will thereby inflict upon those who are called to supply the deficiency. If some tremendous calamity, or providential visitation had occurred, confined to this particular locality—such as an earthquake ravaging the entire western coast of Ireland,—Parliament might be justified, no doubt, in stepping in to support the population, until they had recovered from the effects of the calamity. But how stand the facts of the present case?

Why, the same calamity that has desolated the western coast of Ireland, has extended itself throughout not only the whole of Ireland, but England and Scotland likewise were subjected equally to its ravages. The west of Ireland is only suffering from the calamity in a peculiar degree, because, for a series of years, the landed property of that portion of the country has been abominably mismanaged and abused, and a numerous and wretched population encouraged to grow up for the sake of exorbitant rents based upon the potato, and of political influence. But I ask, are the sins of these western landlords to be visited upon the heads of those who had nothing whatever to do with them? If this system is to be followed out, what will become of the stimulus which the Poor-law was expected to give to individual exertion and habits of prudence and self-reliance? We actually offer a premium to mismanagement and improvidence, if we tell the landowners in this way, that whenever a difficulty is encountered in collecting the rates, we will take upon ourselves the duty of supporting their poor for them from English taxes and aids *ab extra*. How can we expect to stimulate to energetic improvements and the vigorous cultivation of the land,—confessedly the one thing necessary to restore prosperity to the most wretched districts of Ireland,—if we are continually to give the practical lesson, conveyed by these repeated grants, that the landed proprietor's responsibility for maintaining his own poor is at an end whenever it becomes difficult to levy the rates. It is notoriously undeniable and undenied, that even the worst districts are capable by nature of maintaining the entire population, and, indeed, double or quadruple its present numbers. Even now there is land enough of that which is or has been already under tillage (without reckoning the millions of waste acres reclaimable), declared by the Poor-law Inspectors to require all the labour of the able-bodied population of the districts to cultivate it properly. Why, then, should not the owners of this neglected but improveable territory be required to maintain their own poor, instead of throwing additional burdens upon the already over-taxed people of this country? Last year the amount of poor-rates actually paid in Connaught were only 2*s.* 7*d.* in the pound. But



I know districts of England where the hard-working rate-payers have this year had to contribute 6s and 8s in the pound for the support of those whose condition was little worse than their own. Why, then, should they be called upon to pay for the poor of Connaught? The rates ought to be exacted from the locality under all circumstances, and not thrown upon other districts which have enough to do to support their own poor.

Sir, it has been said, that this advance of 50,000*l.* is asked for in order to save life. Advances are, no doubt, necessary for that purpose, but this is no reason why their repayment should not be required, or why we should exonerate the parties legally liable from the arrears of rate due from them. The only mode to recover the arrears that are going on accumulating upon many properties is, to make the fee-simple of the land liable for the rates. In that way you may secure repayment either to the Board of Guardians, or to the national Exchequer of whatever sums it may be necessary to advance. And why should not this be done? The stock, crops and everything upon the land are liable to seizure for the rates, and I can see no reason why the land itself should escape untouched. The effect of allowing the rate-collector to stop short of seizing the land itself is, that in the west of Ireland arrears are accumulating upon many farms and estates, and no distress being to be found on the land, it is thrown entirely out of cultivation. No tenant can be got to take the land and stock it, because his property in his stock and crops could be seized at any moment for the arrears of rate. The consequence of this state of things is, more land goes out of cultivation every day, and the burden becomes heavier upon the neighbouring properties; and thus the area of desolation and ruin spreads around until the Government is forced to come forward with rates in aid, or with grants. There would be nothing unjust in taking a portion of the fee-simple of the property in payment of the arrears of rate. Indeed, all parties interested would be benefited. The mortgagees have no interest in the land lying desolate because of the arrears; and whilst the land continues uncultivated, no rent can be obtained. Suppose an estate in Connaught to be ~~liable to a rate of~~ 1000*l.* a year, and the arrears upon it to amount to 1000*l.*, it will be liable to go out of cultivation merely because of



these arrears of 1000*l.*, for nobody will hire it and stock it unless they are first paid. Now, if we allow 1-25th of the land—supposing it to be worth twenty-five years' purchase—to be sold to pay the arrears, the remaining 24-25ths might be set free, and it might be stocked, and pay a rent, as well as the debt due to the mortgagee or creditor. The 1-25th might be taken possession of by the Board of Guardians, and sold to satisfy the arrears; or, if the time was unfavourable for a sale, they might lease it free, not only of arrears of poor-rate, but even rate-free for the future, to some one who would stock it, and pay them an excellent rent. They could place it in the hands of an active capitalist, who would improve and cultivate it, and thereby employ the population, and benefit the whole community generally. This is not an imaginary case, because in several of the distressed districts many estates are similarly circumstanced. Mr. Burke, late Inspector of the Mayo district, states that the arrear rate in the Ballina Union that cannot be collected, amounts to 5000*l.* He says it is chiefly due from landowners; and from the list given in the papers which I now hold in my hand, I find there are eighteen landowners in that district alone whose estates are under receivers. Three are in gaol, and one, who has never paid a farthing yet since the year 1844, has his lands uncultivated and waste, and his house shut up, to avoid an execution. What hope, then, is there if we excuse these parties the rates, of any improvement in so desperate a state of things? If we make gratuitous grants from the Consolidated Fund, or other sources, under these circumstances, it is not to the poor we are giving the money of the people, but to these bankrupt landowners and their creditors. And why should the ratepayers of Ireland, or the taxpayers of England, be called upon to pay the debts of the bankrupt landowners of Connaught?

But independently of this objection, I ask, whether we shall have made any real advance towards improving the state of things in Connaught?—whether we shall not only be bolstering by these grants in a false position the mere nominal proprietors of vast tracts, which, like the dog in the manger, they will not or cannot utilize themselves, nor allow others to do so. Captain Hamilton, in his statement of the 2nd of January, which

was quoted by the Right Hon. the Chancellor of the Exchequer, says, that he can perceive no other remedy for the evil in his district but to get a change of proprietors, and the substitution of men of energy and capital. Now, the duty of supporting the poor is at present the first claim upon the land, and the most effective and simple mode of getting rid of a useless proprietary, and thereby of benefiting the community at large, is to oust the present owners by enforcing payment of the arrears of poor-rates. Last session an Act was passed to give the creditor who has the first charge the power of selling the property; and now I only ask that the same principle should be applied in the case of arrears of poor-rates, so as to confer upon the British taxpayers advancing these grants as loans in aid of the Irish Unions, the same right of sale, seeing that the public become first creditors, by maintaining the poor, who ought to be supported from the land in their own districts. And this is in fact what the more deserving Irish landowners are beginning to ask for their own protection. Very recently the Board of Guardians of Ballinasloe held a meeting, and petitioned Parliament to allow defaulting lands to be sold to satisfy the arrears of rate. To this system I believe Parliament will be obliged to come at last, for no other just or effectual remedy for the evil can be found.

Sir, I now proceed to say a few words on the subject of my second Resolution. I propose that the money, which it may be necessary to advance in aid of the poor-rates of these Western Unions, should be expended, as far as is possible, in the productive employment of the able-bodied poor. If we adopt the productive system of expenditure, I believe we may count with certainty on getting back the money we lend, and therefore I propose to lend it; but whether we give it or lend it, I ask you to look this question in the face, and see if it be not absolutely necessary, upon the plainest principles of common sense and prudence, that we should employ the people whom we must feed, in productive labour. There are twenty-one Unions in a state of bankruptcy, one of which I will take as a specimen, namely, the Ballina Union. It is anticipated by the Inspector, Captain Hamilton, that in the course of this summer there will be 4,300 able-bodied men in a state of

destitution in that Union. Their families, it is calculated, will amount to 14,000 more, making altogether 18,300 persons in that one Union, either able-bodied or depending upon able-bodied men for their support. The whole number of paupers, it is expected, will be 27,000, and, therefore, two-thirds of the paupers of Ballina Union will be composed of the able-bodied class. And this is by no means an exceptional case, for the Inspectors report of all these twenty-one Unions, that they expect from ten to thirty thousand persons in each to be on the relief lists this summer. Now, I ask, whether this able-bodied population is to be maintained by us in such a way as may enable them to produce sufficient to pay what we may have advanced for their maintenance, or are they to be locked up in workhouses, employed only in breaking stones, of no use to any person, and extending the circle of destitution by unproductively consuming the capital of the country? I know that the proceedings in Ireland in the year 1847 will be thrown in my face, and I shall be asked if I propose to repeat that system; and I shall be also reminded of the national workshops in Paris. But I repeat what I have urged before, that the true parallel for the Ateliers Nationaux are the existing Irish workhouses—workhouses only in name—crammed with able-bodied idlers. Moreover, I beg to call the recollection of the Hon. Members to this fact, that while the labourers on the useless relief works of 1846-7 in Ireland were idling away their time and imposing upon the public—while jobbing in every possible way was taking place, and the public money was misapplied, the productive works carried on in the same districts, under Mr. Labouchere's letter, were well executed, the men employed upon them working most willingly from morning till night. The engineer officers, under whom they were carried on, unanimously report that amongst the men employed on the productive works there was no want of industry, and their conduct was most admirable, while on the unproductive works there was general idleness and imposition. The mistake is that we do not treat men as human beings, having a moral sense about them. Even the Irish have a moral sense about them—[*Cries of "Hear!"*]

I do not mean to cast any reflection upon the Irish; on

the contrary, I mean to deny the justice of the reflections which are so frequently thrown upon them. It is stated that they are Celts, that they are an idle race, and that nothing can induce them to be industrious. I have refuted that assertion over and over again. And with regard to those very Mayo men, it is notorious throughout England that they are the persons who cut our harvests, and exhibit themselves in this country as most laborious. But there is another quality the Irishman has, and that is acuteness. If you set an Irishman to a task of labour, and he knows that it is useless, and only imposed as a test, he will endeavour to evade it. Is it not natural to do so? Should we not all of us act in the same manner? On the other hand, if he were set to work upon a piece of land that would bring food to himself and his family, or if he were employed in any other way for wages that would maintain him and them—living wages—he would labour upon it from morning till night, because there is that moral sense about him that will induce him to do so. Therefore, the distinction between the relief works in 1847 and the works undertaken under Mr. Labouchere's letter is in fact chiefly this—the one was productive, the other was notoriously useless and unserviceable—it was sham work, a mere pretence of work—and, as a consequence, it was made a matter of jobbing by the upper classes, and was a school for idleness amongst the poorer classes.

If we can obtain productive works from our convicts, why can we not obtain it from our paupers? A noble Lord in another place declared, no later than yesterday, that the earnings of every convict at Gibraltar amount to 38*l.* while the cost of his maintenance does not amount to more than one-half that sum. Are we, then, to put thousands of able-bodied men into workhouses, and maintain them there, and their families besides, in idleness; (there are at present, I believe, upwards of sixty thousand able-bodied men thus uselessly maintained, and the number daily increasing); shall we keep them gazing wistfully through the barred windows upon land lying all around waste and unfruitful only for want of the labour they would be so happy to bestow on it? Or, shall we set these able-bodied paupers to productive works—paying them



by rations, if it is thought that to pay in wages would attract too large a number of applicants in a country where work and wages are so rarely offered by private employers? Look to what has been done by the Quakers in the county of Mayo. They took last year 500 or 600 acres of land, and employed some of the poor upon it, who would otherwise have gone into the workhouse; and I believe they have repaid themselves their expenditure. The waste lands are lying idle all around, the people are lying equally idle in the workhouse. I say, put the idle hands on the idle land, and let each man earn his maintenance in the way that Providence intended—by the sweat of his brow. Or, if you will not employ the paupers on the waste land, why not employ them on arterial drainage? The Board of Works have declared that such undertakings would be profitable; then why not employ the able-bodied paupers upon them if you do not approve of this other proposition? These works are at a stand-still for want of funds, while we are voting 50,000*l.* for the maintenance of thousands upon thousands of idle labourers. I have one observation to make upon another point, the most important perhaps of all—the moral effect of maintaining so considerable a portion of the population in idleness. How can we expect that men will ever be fitted for continuous industry if we treat them in this way? By locking them up in workhouses, or setting them to useless stone-breaking, we are teaching them habits of idleness, and inducing them to avoid labour. I ask the House, then, to put them to productive works, in order to teach them industry.

It seems to me, Sir, to be essentially important that the two principles I have brought under the notice of the House should be well considered by Hon. Members, and not rejected in that hasty way in which opinions at first not palatable are usually dismissed. The public money must be advanced to save the perishing poor of these Western Unions. That we are all agreed upon. The only question is whether it is to be granted unconditionally, and spent wastefully in merely keeping alive—and barely alive—thousands of able-bodied men and their families; or lent upon condition of repayment by the sale of the lands now liable by law to the burden of maintaining these



poor people, and expended in a manner which will make repayment possible, namely, in their productive employment? The latter alternative seems to me, Sir, the only one which wisdom, sound policy, or even common sense, can sanction. And therefore I propose its adoption to the House. I move, Sir, to add to the Resolution before the House these two provisions, viz.—

“ Provided that the money be advanced only as a loan, and  
 “ repayment secured by a lien on the lands liable to the uncol-  
 “ lected rates, with power of sale for its recovery.”

“ Provided also that the money be expended, so far as is  
 “ practicable, in the productive employment of the able-bodied  
 “ paupers.”

(Motion, after discussion, withdrawn.)

## SPEECH OF MR. POULETT SCROPE,

ON THE SECOND READING OF THE RATE IN AID (IRELAND) BILL.

(Tuesday, March 27th, 1849.)

SIR,

BEFORE I address myself to the question more immediately before the House, I must make one remark upon the charge brought by the Hon. Member for Roscommon, against the Poor-law—a charge which he has often repeated before, and which others have echoed,—namely, that it is ruining the tenant-farmers of Ireland, and confiscating the property of the landlords. Now the amount of Poor-rate actually collected in Ireland in the last year, as appears from the recent returns, averaged only two shillings and five-pence in the pound. In the province of Connaught, where the ruin is most complete, the average of rate collected, was only two shillings and seven-pence in the pound, and as this amount was divided between the tenant and the landlord, each paying half, it really is too flagrant an exaggeration to assert that it could have ruined either.

No, Sir, it is not the Poor-rate that is ruining the farmers of Ireland, but their liability to the exaction of exorbitant rents, bargained for on the assumption of the success of the potato crop ; which crop having now failed for four years in succession, the payment of these rents has become impossible. The whole social system of Ireland, especially of the west of Ireland, was based on the potato. The labourer was paid, not by wages, but by the loan for the season of a bit of ground, on which to plant his potatoes. The farmer lived on his potatoes, and paid his rent by the sale of the other produce of his farm. The destruction of the potato at once, therefore, reduced the entire labouring classes into destitution ; no one being willing or able to employ them on money wages ; and deprived the farmer of the power of paying his rent, by making it necessary for him to purchase his subsistence instead of growing it, or to consume himself that portion of his produce which used to pay the rent. But the landlord had still the power of exacting the full rent. And his own necessities, and the pressure of his creditors, almost forced him to do so. Hence there has been a very general race between the landlord's bailiff and the Poor-rate collector, which should first seize the small available property of the tenant-farmer. And if in some cases, the levy of the rate has proved the last feather by which the overloaded back has been broken ; it is surely rather the exaction of the twenty shillings of rent, than of the two shillings of rate that really caused the farmer's ruin.

It is the dread of the exaction of these impossible rents, far more than of Poor-rate, that is now driving off so many of the Irish farmers to America, with what remnant of their little capital they can scrape together. Where the landlords have fairly met the times by a considerable reduction of rent, they have retained their tenantry and kept their lands in cultivation, in spite of the Poor-rate. Even in the Union of Ballina itself, there are instances where this has taken place. It is the unwillingness of landlords to reduce their claims for a rent, now no longer within the power of the tenant to pay, that occasions the outcry against the Poor-rate. But I have never yet heard from any of those who indiscriminately rail against that law, by what other means, at all consistent with justice and policy,

the poor of Ireland could have been saved during the last year and a half from total destruction.

To proceed, however, to the question more immediately before the House, I must say that it strikes me as a most unhappy characteristic of the remedial measures hitherto proposed for the miseries of Ireland, that they are always applied in an immense hurry. We wait till the eleventh hour, nay, to the very last minute; and as a necessary consequence, the remedies adopted are mere temporary make-shifts, just enough to tide over the difficulty of the moment, but containing no provision to obviate its recurrence a few weeks, or a few months afterwards. It is this hand-to-mouth temporizing and palliative system, that I look upon as the worst feature in our Irish Relief policy.

From the first it has been so. All remedies for the normal but most disgraceful and ruinous amount of Irish misery, which prevailed before the potato failure were postponed or refused to the last. So that when the famine came there was no preparation, no organization, by which it could be met. The only thing attempted was to keep the people alive by some make-shift for the moment, regardless of the necessity of rendering them self-supporting for the future. Early in 1846, when the potato had failed for one season, and there seemed every probability of its continued failure, I vainly urged upon the Government of the day, and upon Parliament, two measures of precaution; namely, First, the Extension of the Poor-law, so as to admit of outdoor relief, when the workhouses were full. Secondly, a large auxiliary system of public works of a productive character, especially the arterial drainage of the country, and the reclamation of waste lands.

Both were refused, and nothing was done until the month of August, when the potato crop had actually failed, and the famine set in. Then in hot haste and hurry an imperfect measure was passed, which was still more hurriedly and imperfectly carried out. I mean the useless Relief works of 1846-7, carried out indeed amidst a helter-skelter of confusion; in such a manner that, while millions of public money was scrambled for by jobbers, and lavished on persons who were not destitute at all, the really destitute poor

died in numbers unrelieved, and were flung into holes unconfined and unshrouded by hundreds. This was the first make-shift. In the spring of 1847 the abuses of this system of sham and useless works had become so great that it was absolutely necessary to stop it, and another plan, the Temporary Relief Act, was adopted, under which three millions of persons received gratuitous relief, *no work at all* being required from them. This was make-shift the second. And this too, after a short time, could not be continued. At length it was found necessary to adopt the machinery of the Poor-law as the only safe mode of administering relief, as I had vainly recommended in the preceding year. But however right, this decision, it ought to have been considered that even in the normal and ordinary state of Ireland, if the Poor-law alone were to be relied on to meet the mass of destitution, it would be greatly strained. How much more then, at a time when three years failure of the chief subsistence of the people, had increased so prodigiously the amount of destitution? It must have been quite clear to all acquainted with the circumstances of the country, that the Poor-law alone would be quite insufficient, unless aided by auxiliary measures on the largest scale. These however were unhappily refused. Nothing was done in the way of reclamation of waste lands—nothing in emigration. Little or nothing in railroads. Very little in arterial drainage. And though some aid was offered under the Land Improvement Act, it was both inadequate in amount, and, depending on the co-operation of the landowners, was not applied to any extent in those very worst districts, in which the landlords are powerless, incapable of co-operation, in fact merely nominal owners of their property. Everything was left to the Poor-law! The whole strain of the three millions of poor relieved in 1847 was thrown upon it! No wonder that it has in many districts broken down!

At the best, all that the Poor-law could do or has done, is to keep the poor barely alive, just on the verge of starvation. It does not in fact do as much as that, for it is in evidence that they chiefly come into the workhouse only to die, and only obtain relief when in the last extremity of emaciation, and in absolute peril of immediate death from hunger. The Poor-law does nothing towards rendering them self-supporting



—nothing towards providing that which is the one main want of these poor people, employment—work—the means in fact of self-support. On the contrary the Poor-law, as it is administered, abstracts from those means, and lessens the capital of the country, the only fund for the employment of labour, by unproductively consuming it.

It is notorious that the one main evil of Ireland, the immediate cause of all the misery and distress, which so cruelly oppresses her, is the *want of employment*. I have here many extracts from the Reports of the Temporary Inspectors of the twenty most distressed districts of Ireland, sent to the Poor-law Commissioners, and in reply to this particular question, what is the cause of the distress in each of these Unions, I find all the Inspectors, without exception, putting as the foremost cause of all “Want of Employment.” Some say, there is no employment at all for the labouring population. Some, that nineteen out of twenty are unemployed; while the numbers dependent on employment alone for their maintenance have been greatly increased by the clearance of small farmers, and the practice of consolidation.

It is not that there is no field for the employment of labour. On the contrary, the evidence is as general and conclusive that everywhere, in every county, every union, every parish of Ireland, but, above all, in the most distressed, there exists the most promising field for the profitable employment of labour in the undeveloped fertility of the neglected soil, which, as Captain Kennedy says, is everywhere undrained, and but half cultivated, even when reclaimed, while millions of acres of reclaimable land are yet in a state of nature.

There is no greater fallacy than the notion that Ireland is overpeopled. The evil is not excess of population, but abuse and neglect of the land.

A century ago, when there was not one-fourth of the existing population; the same cry about its redundancy was raised, owing to the same cause, defective agriculture. Hear the Poor-law Inspectors of even these worst Unions. Captain Hamilton says of Ballina itself, writing in January last, “There are not labourers enough in the Union for its proper cultivation.” So also Captain Kennedy of the Kilrush Union. So



Captain Labalmondiere of Ballinrobe, and Mr. Hamilton of Donegal. Mr. O'Sullivan, a witness before the Poor-law Committee, coming from the Union of Kenmare in Kerry, told us the other day that, though the labouring population are almost wholly unemployed, the land might be made by their labour, if employed, to produce five times as much as at present.

It will be asked why are not the people employed, if their employment would be so profitable? The only answer is, that the land is locked up in the hands of nominal proprietors, or others whose absence, or apathy, or embarrassments, prevent them from undertaking improvements, or encouraging their tenants to improve by durable tenure, or compensation for their outlay. There is no hope for these worst districts, at least, says Captain Hamilton, but in a total change of proprietary. But this change is not taking place. Everything is at a dead-lock, and meantime the Poor-law is just keeping the poor alive, and barely so, feeding thousands in idleness, while the land lies equally idle and waste all round, for want of labour. And even to keep up this miserable state of things the national funds are obliged to be brought into contribution. And when the patience and generosity of England is exhausted, a rate in aid is proposed from the rest of Ireland; but still without any the slightest hope held out of the commencement even of any self-supporting system. We are to go on waiting for the chance of a good potato harvest; waiting to see what may happen, while every day matters are getting worse, and the circle of pauperism, ruin, and bankruptcy, is spreading wider and wider!

Oh! what a glorious opportunity all this time has been lost for introducing a new vitality into the wretched system of Irish agriculture! Had the millions that have been spent in the last three years in merely keeping idle paupers half alive, or in spoiling the roads of the country, been employed in improvements of the soil, in teaching the people habits of industry, better systems of agriculture, the art of drainage, the culture of root and green crops, instead of that dependence on the potato, which has been their ruin, what a different state of things would Ireland present.

Such a system of productive employment might have been afforded either through the medium of the Poor-law or apart from it, by a large system of public works, such as waste land reclamation and arterial drainage. Instead of either of these courses, the Poor-law has been worked on the principle of excluding productive employment, and no auxiliary works have been set about. Thus, while the people are more than ever dependent on employment, less employment than ever is afforded. You have at the same time contrived to increase the pauperism and lessen the resources of the country!

What then, it may be asked me, should be done? Even were some large scheme adopted for the purpose of rendering the south and west of Ireland ultimately self-sustaining, (such for example as that hinted at, rather than suggested, by the Right Hon. Baronet the Member for Tamworth, the other night), it must require time before it can be passed, more time before it can be brought into operation, still more before it can produce the desired effect. Meantime, the people of these western Unions are dying off, or will die by hundreds of thousands, unless immediate aid *ab extra* be supplied. Whence is this to be obtained? England refuses any longer to pay. Is there any other resource than the proposed rate in aid from the less distressed districts of Ireland?

Sir, I have the strongest objections on principle to a rate in aid from national or quasi-national taxation, as this would be. I object to it as opposed to the main principle of the Poor-law, local responsibility for local destitution — as not only weakening, but positively destroying all motive to good management, either of the Poor-law or of property, with the view of keeping down the Poor-rate. For it is evident that when once the limit is reached, or nearly so, all motive of the kind ceases, and an inducement is created to the very opposite course, namely to increase pauperism, or to make a show of its increase, in order to get the greatest amount of public money. I object to a rate in aid as possessing the very opposite quality to that of mercy. It is twice cursed. It injures him who gives and him who takes. It is unjust to those at a distance upon whom it is imposed, and who are not in any way to blame for the pauperism it goes to relieve, and who cannot

control either that pauperism or the expenditure of their money upon it. It is injurious to those who receive it, by relieving them from the wholesome stimulant which the dread of a high rate would afford, to look after the condition of the poor on their estates, and to employ them in the improvements which those estates so much stand in need of. The proposed rate in aid absolves in fact the landowners of the west of Ireland, from that responsibility which I think they have justly incurred by the mismanagement of their property. Can there be any doubt that such mismanagement has been the real cause of the overwhelming pauperism of those districts? They, the landlords, have in fact been, for their own profit, for years past, breeding an excessive rent-paying population, dependent solely on the potato—and the potato having failed, I ask are they to throw these paupers upon the rest of Ireland for support? Let me read to the House a brief passage from a letter in the last Distress papers of a most meritorious public officer, who has since, alas! fallen a sacrifice to his noble exertions in the discharge of his afflicting duties, I mean Captain Lang, the late Inspector of the Bantry Union.

*“ Union of Bantry—County Cork. January 25, 1849.*

*“ When this was a potato growing country, and the crop flourished, the landlords and the middlemen found it an easy and certain mode of increasing their incomes, to permit every tenant or branch of his family to erect hovels of any description on every patch of land among the glens and rocks of the mountains or along the sea-coast, and rather to countenance than discourage the establishment of swarms of cottier-tenants on their lands. These contrived, either by taking con-acres from the larger occupiers, or by cultivating patches of their own holdings, to grow sufficient potatoes to fatten a pig or two to pay the rent, and from each of these tenements the landlord or the middleman contrived to squeeze out a rent from 1l. to 5l. yearly; and these rents were better paid than any stranger to the country and the habits of the people could have believed it possible to exact from such a class of tenantry. Hence, the greater the amount of population a proprietor could locate on his estate, the larger became the rent-roll. The consequences of the failure of the only crop upon which these masses sub-*

sisted and depended for the payment of rent may easily be conceived; they became one and all paupers, and were thrown on the rates for support: large tracts of land became waste and unproductive, from which there is now neither rate nor rent to be obtained—the landlords had exacted the last farthing. At no period could such a class of tenantry accumulate any capital or means to fall back upon for subsistence; and the whole system induced and inculcated those idle and ragrant habits, and that indisposition to fixed and steady habits of industry, so generally complained of, and now falsely attributed to the Poor-law and its demoralizing influence. But the same apathy and want of energy and exertion existed always, and were the natural consequence of the system. It was then only seen—now it is felt.”

Again—hear Captain M’Kie, writing from Galway:—

“February 13, 1849.

“The encouragement given to people to locate themselves in these wretched districts so long as they could pay rent, without a thought as to their moral or physical condition, has led to that mass of destitution, consequent on the failure of the potato which now overwhelms this Union.

“The rent paid by many of these people, so long as the successful cultivation of the potato enabled them to pay it, was far higher than the value of the land. Three successive years of failure has convinced them of the hopelessness of obtaining even a subsistence out of the soil, and all who can are running away from it.”

Well then, I ask, are the landowners and middlemen of the west of Ireland who have been thus for many years past engaged in so profitable a manufacture of paupers, to escape the natural consequences of their greedy and mischievous conduct, consequences which were sure to ensue from any extensive failure of the potato, upon which their whole system of rack-rents was based? And this at the expense of the owners and occupiers of the north and east, who have more prudently managed their property? And what will be the consequence if you do commit this injustice? Sir, I am sometimes accused of using harsh language respecting the conduct of some of the western landlords, whose exterminating practices I have brought at times under the notice of the House. I will, there-



fore, use in preference to my own, the language of the very hottest partisan organ of the landlords of Ireland. I find this passage in the Dublin Evening Mail of a few days since.

“ From the moment that a rate in aid is imposed, no rates will be collected west of the Shannon. The Galway and Mayo squires will at once clear their estates, throw their lands down to grass, and leave their poor to be maintained by the northern and eastern provinces.”

This then will be the result of your rate in aid. Instead of tending to improve the condition of the west of Ireland, and render it self-supporting, it will only create a still wider desolation there—it will enable the proprietors to clear their estates altogether, at the expense of the north and east of the Island and of Great Britain.

What then, it will be again said, is to be done? Sir, I can only give the same advice that I gave both in the last Session and in the present, when the votes in aid from the Consolidated Fund were proposed. I say, as I said then, Lend the money necessary to save the lives of the people. Even by your own plan you must so lend it. But instead of lending it on the credit of a rate in aid from the rest of Ireland, lend it on the security of the future rates of the district to which you give the aid, and which is now by law bound to maintain its poor; and obtain repayment ultimately by sale of the land, if it be not obtainable in any other way. This would be only carrying out the principle of the existing Poor-law. It would be placing the saddle on the right horse, the burden of the pauperism on the shoulders of those who have created it. It would hasten the process of transferring the lands of the west to a new race of proprietors, that process which you yourselves admit is the only one that affords the least glimmer of hope of a change for the better in the deplorable circumstances of those districts—but which your rate in aid would directly tend to postpone and delay, by bolstering up the insolvent proprietors in the nominal ownership of immense estates, which they cannot make a good use of themselves, but which, so long as they remain their nominal owners, they prevent others from utilizing. Will it be said this would be a harsh measure towards them? Why, Sir, I see tenants distrained on, and their last goods, even their very beds, taken by the force of law, for



payment of their legal debts, whether of rent or of rate. Why are you to hesitate to enforce the law equally against the landlords, more especially as they (or the parties from whom they derive their interest), are really those whose greediness and improvidence have occasioned all the evil?

But more than this. It is not a question of mercy or charity towards them, but one of justice to others. If you absolve them from the strict legal consequences of their acts, you can only do so at the expense of some one else—of the people of Ireland, or of England, who, by better management of their property, are enabled, though at great sacrifices, to maintain the poor of their Unions, but who naturally exclaim against being made to fulfil the duties which in law, in reason, and in justice attach to the owners of property in the west

I say then, Advance the money from the Treasury, but take means to secure its repayment by a lien on the land liable to the rates. And I add to this, as I did before, the recommendation to expend the money, so far as practicable, in the productive employment of the able-bodied poor of these Western Unions, in which such boundless resources exist for the profitable employment of those labourers whom you must feed, and from whom you might obtain valuable work in return, only by acting on the sound, wise and simple principles of the Poor-law of Elizabeth, which was in beneficial action for two centuries and a-half in England. But if unwilling, as you say you are, to mix up productive labour with relief, at all events, lose not a moment in setting on foot some large measures for the employment of the idle labour of their districts, independent of the Poor-law—some public works of the nature of arterial drainage, and of waste land reclamation for which these districts offer such a vast and promising field. Sir, I have here a statement of the quantity of cultivated and waste land in only the eight worst Unions, out of the twenty we are called on to assist with a rate in aid. I find their area to be two million and a quarter acres, out of which less than the odd quarter of a million was cropped in any way in 1847 (as appears from Captain Larcom's tables), leaving upwards of two millions of acres out of two millions and a quarter producing nothing! Nine parts out of ten of the surface of these eight Unions are

utterly unproductive! Here, again, is a statement of the amount of waste land in the six western Counties in which these distressed Unions lie: I find it to exceed three millions of acres, of which more than two millions of acres are, by Mr. Griffiths's statement, reclaimable with profit. Then, I ask, such being the enormous natural resources and capabilities of these districts, up to this time lying dormant and undeveloped, cannot the statesmen who rule the destinies of this mighty empire, devise some means for utilizing the vast amount of waste labour upon this waste land, instead of taxing the hard earnings of the industry of other districts to support thousands of able-bodied men in idleness, while the land around is barren only for want of labour to make it productive? Shame on such statesmanship! Are you afraid of the cost of a large scheme of the kind? Recollect that you may be penny wise and pound foolish. You are now spending hundreds of thousands in barely keeping alive thousands of the labouring class, without a chance of thereby rendering them self-supporting in future. You may go on doing this year by year for ever, as you have done for the last three years. There is nothing in your present Relief measures that holds out the most distant hope of a more self-sustaining system. Would it not be wiser to lay out even a far larger sum of money in some productive system of employment, by which you may expect to make these poor people self-supporting, and to obtain repayment of your expenditure, than to go on paying for a dead horse in this way, spending the capital of the country in a mode which can bring back no return? The people of England are averse to your advancing more money only because all you have hitherto spent has been so ill laid out. But bring forward some wise and large measures—some well-devised scheme for the permanent improvement of these unhappy districts in Ireland, and the people of England will not refuse to let you lend the credit of the State for so great, so all-important a purpose. You may and will fritter away more money in the end on these make-shift stop-gaps than would carry out a large and beneficial scheme for the regeneration of the worst parts of Ireland. One thing is certain; that your present mode of relief, and your proposals for carrying it on, offer no

hope, no resource whatever for the future, in case the potato crop should fail, as it has done now for four years past. It is a purely gratuitous eleemosynary system of grants—such as your own agents say, experience has proved to be at once corrupting and paralyzing. If I saw this proposal of a rate in aid, as a temporary relief, accompanied by some great and wise scheme for permanently improving the state of the west of Ireland, for rendering it self-supporting after this grant was exhausted, I would vote for it in spite of my objections to its principle; but not being accompanied by any such proposals, and believing that it is only one of a series of temporary makeshifts, by which you hope to postpone the necessity of adopting any strong and decisive measures, I must take my stand against it, and on this ground shall feel bound to vote against the proposition of Her Majesty's Government.

Sir, let me say in conclusion, that I rejoice to find that the Right Honorable Baronet, the Member for Tamworth, has at length grappled with this great question. His proposal seems to me to differ little from that of Home Colonization on a large scale in the west of Ireland, which I have always urged as the most promising resource. I trust that he will carry out the project to its full realization, and add the solution of this great problem to the many others he has brought to a successful issue.

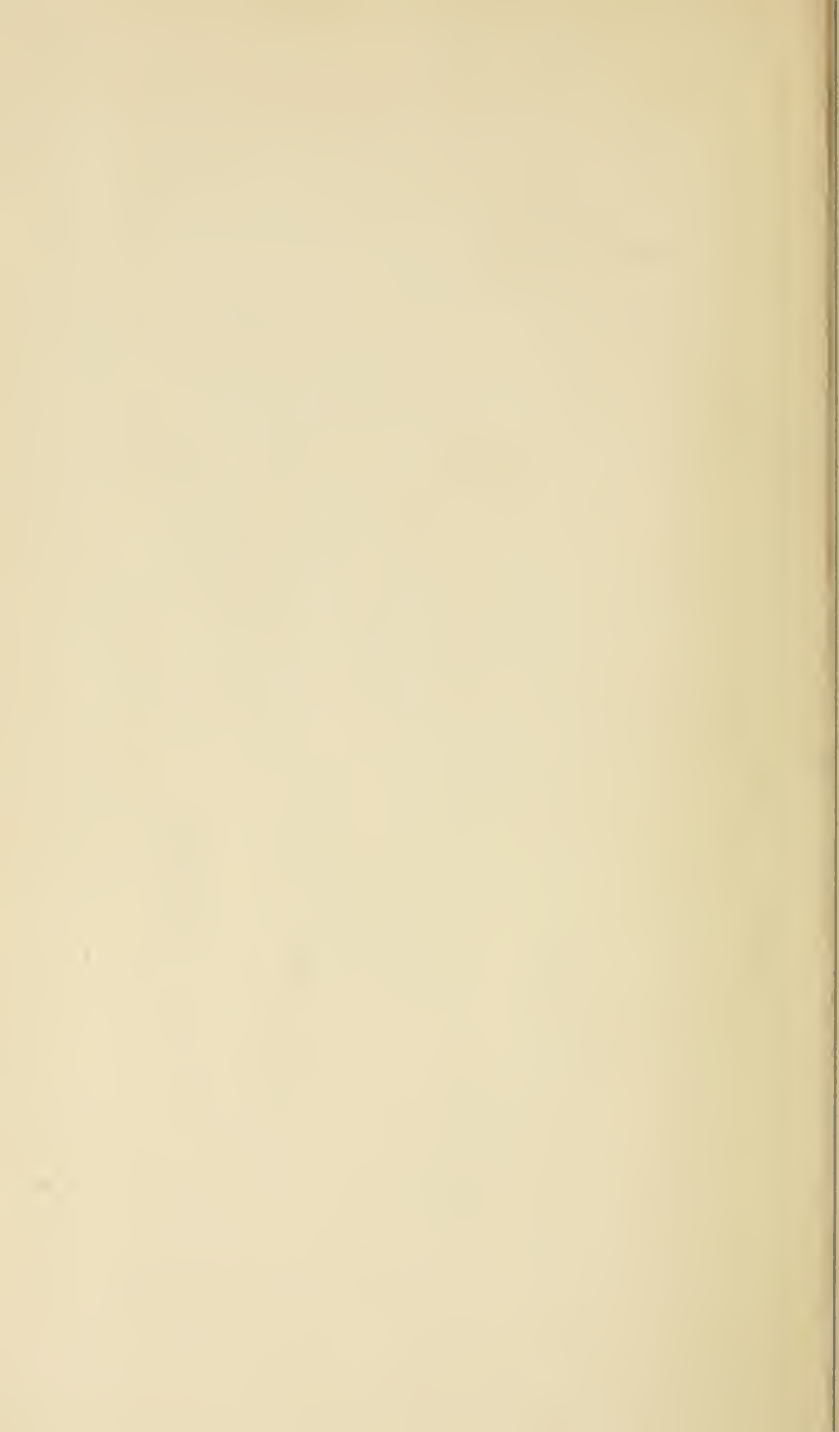
The watchword I recommend is, War upon the wilderness—apply the waste labour of Ireland to her waste land. Adopt productive in lieu of unproductive expenditure. Strive not only to keep the people alive, but to render them self-sustaining, and for this advance the necessary funds, taking a lien on the land, instead of continuing the corrupting and paralyzing system of gratuitous grants.

And further remit no arrears of rate, but strictly exact repayments of your advances, selling the land for the purpose. By this course you will both attain the indispensable object of freeing the field of industry and production from its present fetters; and, by transferring it to proprietors willing and able to employ the population in developing its natural fertility, at once lessen the pauperism, and increase the available resources of these unhappy districts.

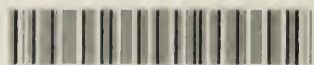












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